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City and County of San Francisco
Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender AIDS Discrimination

Marivic N. Ramos
Executive Director

REGULAR MEETING

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HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JANUARY 9, 1997

4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

Disability Access

The HRC Conference Room is wheelchair accessible. The closest accessible BART station is the Civic Center Station. Accessible MUNI lines serving this location are the 26, 42, and 71 and the Metro station at Van Ness and Market.There is accessible parking in the vicinity of 25 Van Ness Avenue.
The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2-508 (Voice) or 252-2550 (TDD).
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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554 6076.

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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
YuanChin Alvin Chay
Shirley Blumpilla
Ayar Jakks
Comar Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Chada Coliba Malouf
Molocio Santoc

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held December 12, 1996.

3. GENERAL COMMUNICATIONS

4. VISITORS*

5. REPORT OF THE CHAIR

   (a) Commissioners Status Report
   (b) Commissioner's Strategic Planning Session
   (c) Create an Ad-Hoc Nominating Committee for electing a Commission Chair and Vice-Chair.

6. REPORT OF THE DIRECTOR

   (1) Report on the Public Forum of December 17, 1996 discussing concerns of the implementation of Amendments to Chapter 12B on Domestic Partner Benefits.

   (2) Budget and Work Order Budget Update

(3) ACTION: Approval of Authorization for Director to Negotiate Personal Service Contract for the City and County of San Francisco's MBE/WBE/LBE Disparity and Employment Study.

7. COMMITTEE REPORTS

(a) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner German Martinez, Member
Dayard Tong, Committee Staff

(1) Committee Report.

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, January 15, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) No Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Commissioner Antonio Salazar-Hobson, Member
Larry Brinkin, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, January 21, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Employment Committee

Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) No Committee Report

NOTE: *The next meeting of the Employment Committee will be held on Thursday, February 6, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102. THERE IS NO MEETING IN JANUARY.*

(e) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, January 16, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. TASK FORCE REPORTS

(a) Native American/American Indian Social and Cultural Services Task Force

Ladonna Osborne, Vice Chair
Donald Hesse, Task Force Staff

(1) No Task Force Report.

NOTE: *Meetings of the Native American/American Indian Social and Cultural Services Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

(b) Religious Service Providers Task Force

Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Member
Larry Brinkin, Committee Staff

(1) No Task Force Report.

HRC AGENDA
MEETING OF JANUARY 9, 1997
PAGE 5

NOTE: *Meetings of the Religious Service Providers Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. CALENDAR MATTERS

(a) A Public Hearing will be held on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

(b) EXECUTIVE SESSION: Closed session held pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11:

Conference with Legal Counsel -- Existing litigation

ABB Daimler-Benz Transportation Inc. vs. City and County of San Francisco
No. 983510

Coalition for Economic Equity vs. Wilson, No. C-96-4024 TEH

F.W. Spencer & Son., Inc. vs. City and County of San Francisco, No. C-95-4242 TEH

(c) Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed session.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, JANUARY 23, 1997

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MINUTES OF THE COMMISSION MEETING OF THURSDAY, JANUARY 9, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Agar Jaicks, Comer Marshall, Antonio Salazar-Hobson, and Ghada Saliba-Malouf.

Absent: Youn-Cha Shin Chey, Shirley Dimapilis, German Martinez, Rhonda Rochon, and Melecio Santos

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Brian Cheu, Maria Cordero, Bayard Fong, Cynthia Goldstein, Don Hesse, Gail Roberts and Kevin Williams.

Guests: Eladio Ballestas,

APPROVAL OF MINUTES

***Moved (Salazar-Hobson)\Seconded (Saliba-Malouf)\ the minutes of the Regular Meeting of December 12, 1996 were unanimously approved.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

VISITORS

Eladio Ballestas, wished everyone a happy new year. Mr. Ballestas stated that six years after the Innovative Housing complaint was launched the complaint has not been resolved. He requested that the HRC hold a hearing to investigate IH. He stated that in the private sector, IH, would not be allowed to operate as a landlord and yet they continue.

Answering a question from Commissioner Jaicks, Mr. Ballestas stated that the HRC has had the complaint since May 14, 1991.

Director Bamba requested Don Hesse for a report.

Mr. Hesse stated, and Mr. Ballestas concurred, that the May 14, 1991 date is when a group of people brought a lease to the attention of fair housing people in Marin County. The lease belong to Innovative Housing (IH), and they requested assistance from the HRC. The HRC reviewed the lease and it found that it asked inappropriate questions. They requested staff training, and the HRC trained them. IH has housing in San Francisco as well and they used the lease everywhere. IH in the meantime went through several staff changes. The HRC never received a complaint against IH.

Answering a question from Commissioner Jaicks, Mr. Hesse stated that IH is a housing manager that owns 4 or 5 properties which receive government funding. In San Francisco is working closely with IH because the Mayor's Office of Community Development (MOCD) has a commitment to fund them with $90,000 a year for providing housing. IH also has a grant with Department of Human Services. The City therefore is closely monitoring the services of IH. IH is expected to go out of business. The City is trying to find another non-profit agency to manage the buildings to ensure that people keep receiving affordable housing. Mr. Hesse is in weekly communication with IH employee.

Commissioner Knutzen referred the Innovative Housing issue to the Issues Committee.

Alexandra Apley stated that she is a single mother living at a place managed by

Innovative Housing. She keeps receiving three day notices from IH even though she is paying the rent every month. She feels that her housing is not secured.

Julie Hendrickson reported that she lives with an assigned roommate. She has two children. Her roommate has an abusive relationship with a boyfriend that stays with her. She stated that her roommate's boyfriend kept them hostage threatening all their lives. The Police arrested him and the City Attorney is pressing charges; however, she has been reporting the incident to IH for months, written statements, and oral reports and they have not moved to evict her roommate. She stated that IH is not providing her with a safe place to live.

Amy Kern had a complaint against IH. She doesn't have secure housing. She has been homeless before and does not want to become homeless again. There are four families living in the apartment.

Don Hesse reiterated that the complaints being brought up to the Commission at this time, are new complaints, the HRC did not have these complaints before.

Commissioner Chong suggested that the Issues Committee invite other regulatory agencies involved with Innovative Housing so that a resolution be brought forward.

REPORT OF THE CHAIR

Commissioner Knutzen commended Larry Brinkin, Cynthia Goldstein, Brian Cheu, Maria Cordero for the Domestic Partner hearing.

Commissioner Knutzen commended Larry Brinkin for a meeting held with the Director and President of the Health Service Board regarding the exclusion of gender identity disorder from diagnosis as a mental disorder.

Director Bamba reported that a Filipino-American Business Community held a hearing sponsored by Commissioners Dimapilis and Santos. It was a successful meeting, Commissioner Santos was the emcee. The workshop was called, How to do business with the City."

Commissioners Strategic Planning

Commissioner Knutzen reported that a date has not been set as yet, the latest date is Saturday, February 8, 1997. A form was sent for the Commissioners to fill out before the Strategic Planning Session.

Create an Ad-Hoc Nominating Committee for electing a Commission Chair and Vice-Chair.

Commissioner Knutzen stated that according to the Commission Rules and Regulations, there is a two term limit for serving as Chair and Vice-Chair.

Ad-Hoc Committee: Commissioners Jaicks and Saliba-Malouf

REPORT OF THE DIRECTOR

1. Report on the Public Forum of December 17, 1996

Director Bamba commended Larry Brinkin and Cynthia Goldstein for organizing the meeting. The meeting showed a very good corroboration on behalf of the City to address the business community concerns regarding the enforcement of the Domestic Partner Ordinance.

Cynthia Goldstein stated that it was a very good forum. The basic purpose of the meeting was to give the public an opportunity to raise concerns and ask questions, and also to give the public information about the type of implementation the HRC has in mind. A good representation from the City was present to hear concerns from the public, Ed Lee, Purchaser, Rebecca Prozaine from the Mayor's Office, Buck Deventhal form the City Attorney's Office, Supervisor Katz, Ammiano and Leal's office sent representatives. Some of the invited guests included the Director of the San Francisco Chamber of Commerce, representative from Insurance Industry, human resources consultants and individuals who would stand to benefit from the legislation.

2, Budget and Work Order Budget Update

Director Bamba reported that she has been working closely with David Treanor and Arcedo Brillantes regarding this year's budget. Her colleagues have been gracious in accommodating the HRC's with additional funding. Emilio Cruz, MUNI Director will fund a portion of the Disparity Study. PUC will assign additional staff, the Airport is providing additional funding. Department of Public Works is also funding three HRC staff people. Director Bamba informed the Commission that she is creating an internal staff budget committee. She is very encouraged by the response from other City Departments.

Answering a question from Commissioner Chong, Director Bamba stated that new staff is needed to fulfill the new mandates. She will bring applications to the Mayor's Job Fair scheduled for January 25, 1997.

Answering a question from Chair Knutzen, Director Bamba stated that she will need the Commission Budget Committee once she has a budget drafted.

3, Action: Approval of Authorization for Director to Negotiate Personal Service Contract for the City and County of San Francisco's MBE/WBE/LBE Disparity and Employment Study.

***Moved (Mashall)\Seconded (Chong) Unanimously in favor to approve the Director to negotiate personal service contract for the City and County of San Francisco's MBE/WBE/LBE Disparity and Employment study.

COMMITTEE REPORTS

(a) MBE/WBE/LBE Advisory Committee

Commissioner Marshall reported that the committee heard presentations from Ed Lee, Purchaser and his efforts about finding contracts that can be targeted for MBEs and WBEs in San Francisco. The committee heard a presentation on the New Giants Ballpark. The issue will be an on-going calendared item. There was a question about jurisdiction. The Redevelopment Agency had jurisdiction over the contract until very recently when it was turned over to the Port. If the contract is under Port's jurisdiction then the HRC rules as far as goal setting will apply. There is community pressure that they want the Giants Ballpark to give a fair representation to minority businesses.

UNFINISHED BUSINESS

Commissioner Knutzen requested that update reports be given to the Commission on the L.J. Dolan complaint at the Airport and the Innovative Housing complaint regarding fair housing.

EXECUTIVE SESSION

***Moved (Marshall)\Seconded (Jaicks) Unanimously to hold a closed session pursuant to Brown Act section 53956.9 (a) and the Sunshine Ordinance section 67.11:

Conference with legal counsel on existing litigation

ABB Daimler-Benz transportation Inc. vs. City and County of San Francisco No. 983510

Coalition for Economic Equity vs. Wilson, No. C-96-4024 THE

***Moved (Salazar-Hobson)\Seconded (Chong)\Unanimously in favor not to disclose action taken or discussions held in closed session pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14.

NEXT MEETING

DATE: Thursday, January 23, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

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City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

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THURSDAY, JANUARY 23, 1997

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4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held January 9, 1997.

3. GENERAL COMMUNICATIONS

4. REPORT OF THE CHAIR

   (a) Commissioners Status Report
   (b) Commissioner's Strategic Planning Session
   (c) Report from the Ad-Hoc Commitee on Elections
      1. Nominations for Chair
      2. Election of Chair
      3. Nominations for Vice-Chair
      4. Election of Vice-Chair
   (d) Assignment of a Budget Committee

5. REPORT OF THE DIRECTOR

   (a) Disparity Study Update
   (b) Budget Update

6. COMMITTEE REPORTS

(a) Issues Committee

Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) No Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Commissioner Antonio Salazar-Hobson, Member
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, February 18, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Employment Committee

Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, February 6, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(d) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, February 20, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) MBE/WBE/LBE Advisory Committee

Commissioner Comer Marshall, Chair
Commissioner German Martinez, Member
Bayard Fong, Committee Staff

(1) Committee Report.

(2) Approval of Recommendation to raise the economic threshold from $2 million to $5 million for Construction supplies and other suppliers.

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, February 19, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. TASK FORCE REPORTS

(a) Native American/American Indian Social and Cultural Services Task Force

Ladonna Osborne, Vice Chair
Donald Hesse, Task Force Staff

(1) No Task Force Report.

NOTE: *Meetings of the Native American/American Indian Social and Cultural Services Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Religious Service Providers Task Force
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Member
Larry Brinkin, Committee Staff

(1) Task Force Report.

NOTE: *Meetings of the Religious Service Providers Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

9. UNFINISHED BUSINESS

(a) Update on Innovate Housing Complaint

(b) Update on L.J.Dolan's progress

10. NEW BUSINESS

11. CALENDAR MATTERS

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

(a) A Public Hearing will be held on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

(b) The MBE/WBE/LBE Advisory Commitee is holding a Special Public Hearing on Wednesday, January 29, 1997 from 5:30 - 7:30 p.m. at Conference Room 207, War Memorial Building, 401 Van Ness Avenue, San Francisco, CA 94102 RE: Disparity Study for 12D Ordinance.

(c) The MBE/WBE/LBE Advisory Commitee at its regular meeting scheduled for Wednesday, February 19, 1997 at 5:30 p.m. will hear public testimony regarding the Disparity Study for the 12D Ordinance at the Commission office.

(d) Public Hearing....The Commission will hear public testimony regarding the Disparity Study for the 12D Ordinance at its regular meeting scheduled for Thursday, February 27, 1997 at 4:30 p.m. at the Commision office.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, FEBRUARY 13, 1997

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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MINUTES OF THE COMMISSION MEETING OF THURSDAY, JANUARY 23, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Agar Jaicks, Comer Marshall, Antonio Salazar-Hobson, and Ghada Saliba-Malouf.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Maria Cordero, Ted Guggenheim (Intern), Bayard Fong, and Don Hesse.

Guests: Eladio Ballestas; Scott Emblidge, Deputy City Attorney; Jonnie Robinson, Mayor's Office; Jayne Lee, Deputy City Attorney;

APPROVAL OF MINUTES

***Moved (Jaicks)\Seconded (Salazar-Hobson)\the minutes of the Regular Meeting of January 9, 1997 were unanimously approved with the following corrections: Page 3, paragraph 7, second line should read ...regarding the exclusion of sex reassignment surgery from the City's insurance coverage. Page 4, under Report of the Director, paragraph 1, last sentence, add Benefits after Partner; and paragraph 2, 5th line correct Rebecca Prozan's last name.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Commissioner Knutzen reported that the Domestic Partner Ordinance is going ahead and being implemented by Cynthia Goldstein. Ms. Goldstein was interviewed at the S.F. Politics show. Commissioner Salazar-Hobson reported that he viewed the show and commended Ms. Goldstein on her presentation, she did a tremendous job.

Commissioner Jaicks stated that he is overwhelmed at the brilliance of the Domestic Partner Ordinance and how many lives will be enhanced by the ordinance. Commissioner Knutzen stated that her community is very excited about the legislation. Director Bamba stated that Supervisors Ammiano and Leal where interviewed on CNN regarding the legislation. Director Bamba commended Cynthia Goldstein for her work on implementing and stated that Supervisor Ammiano had called and told her that he was a member of the Cynthia Goldstein's fan club.

Commissioner Strategic Planning Session

The Planning Session is scheduled for Saturday, February 8, 1997. The facilitator will be Anne Godfrey from the Human Resources Department. She will be sending a mailing with a compilation of their input. Staff needs and availability of their needs and objectives for the year will also be presented. There is a lot to accomplish within 4 hours. Commissioner Knutzen would also like to discuss the committee restructuring and participation in different committees.

Ad-Hoc Committee on Election

Commissioner Ghada Saliba-Malouf reported that the Commissioners overwhelmingly supported the work of Martha Knutzen and wished to have her continue as the Chair of the Human Rights Commission.

***Moved (Saliba-Malouf)\Seconded (Jaicks)\Unanimously in favor to elect Commissioner Knutzen as Chair of the Human Rights Commission.

Commissioner Jaicks stated that there was also overwhelming support to ask Commissioner Frank Chong to continue to serve as ViceChair of the HRC. Commissioners were grateful at the amount of hours and dedication that the Chair and ViceChair devote to the Human Rights Commission.

***Moved (Salazar-Hobson)\Seconded (Jaicks)\Unanimously in favor to elect Commissioner Frank Chong as ViceChair of the Human Rights Commission.

Commissioner Knutzen stated that it meant a lot that the Mayor appointed her and named her chair, but it means more that her colleagues affirm her as the Chair. She thanked Frank Chong for serving as ViceChair. She stated that she believes in term limits and the HRC has a two term limit. She would like to begin the transition and nominations by September. She believes there is a lot of talent in the Commission and everyone brings their different perspectives and experiences.

Budget Committee

Commissioner Knutzen requested volunteers to serve on the Commissioner's Budget Committee. She stated that the Commissioners will be needed after the budget is submitted to the Mayor. The Budget Committee will work closely with the Director and the Staff Budget Committee for budget approval at the Board of Supervisors.

Members: Commissioners Chong, Dimapilis and Jaicks.

REPORT OF THE DIRECTOR

Director Bamba reported that the disparity study for the 12D Ordinance is going as planned. Hearings will be held on January 29, 1997 - February 19, 1997 - and at the Commission meeting of February 23, 1997. The disparity study needs to be completed by March 3, 1997. The study will have two components, a statistical component and an anecdotal component. A special Commission meeting may be needed in order to approve the findings and recommendations of the disparity study. The study is also expanding the search to include leases and concessions as well as revamping the rules and regulations. It will also look at the inclusion of American Indians and Arab-Americans classification as minorities. She urged Commissioners to attend public hearings. She is also trying to secure additional funding from other city departments. The second phase of the disparity study will include the employment portion of the program, this portion will be greatly enhanced.

Budget Update

Director Bamba stated that the Mayor requested all department heads on January 13, 1997 to keep within the department's baseline figure. She will be generating a report outline the baseline figures as well as new initiatives She has assigned a staff budget committee. A meeting will be scheduled with the staff budget committee and the Commissioner's budget committee to finalize a budget and present it to the

Commissioner's on February 13th. The deadline for submitting a budget to the Mayor's office is February 21, 1997.

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee

Brian Cheu reported that the Committee met on January 20, 1997. He stated that the unit now has two interns, and welcomed back Ted Guggenheim from his vacation. He reported that the Committee's Youth Task Force is working diligently in the findings and recommendations of the hearing. The findings and recommendations will be presented to the Commission at the first meeting in March.

Mr. Chue reported that the Committee heard a presentation from the S.F. Sheriff's Department. The presentation was very thorough and outlined the different programs at the county jail. He stated that the committee had a overall feeling that the Sheriff's Department is doing a good job. The department offers a Forensic AIDS Project that specifically deals with people with AIDS in a very comprehensive way. The Sheriff's staff stated that most people in jail are poor, homeless and may have psychiatric conditions that need a lot of support. They also have a compassionate release program for people that have less than 6 months to live. After their release they are referred to a hospice. The Sheriff's staff stressed the overwhelming support they receive from Sheriff Hennessey and they attribute the comprehensive programs to him being a very progressive and supportive Sheriff.

The Committee is in the process of recruiting applicants. A total of 30 resumes were received. An Ad-Hoc Committee will review the applications and will separate 10 resumes for an interview.

Youth and Education

Brian Cheu reported that the Committee met and discussed the Committee's role at the Human Rights Commission. The members discussed justification of having a Youth and Education Committee since there is a Youth Commission. The strong argument to keeping the Committee is that it was created 30 years ago, its role is unique and different from the Youth Commission, and the membership reflect all sectors of the City, teachers, students, administrators, counselors, retired teachers, etc.

The Committee heard a presentation from Juanita Owens, and Sgt. Jefferies reported in his efforts of violence prevention in San Francisco schools. The Committee is also recruiting new members. Nine applications were received and interviews will be held the current week.

LBE/MBE/WBE Advisory Committee

The committee met January 14, 1997. The main topic of discussion was the new Giants Ballpark. Jurisdiction of the new Giants Ballpark has not been established. Deputy City Attorney Jayne Lee stated that the City Attorney's Office is researching whether the Port of San Francisco must follow Chapter 12D. Scott Emblidge is researching the issue and will give a recommendation and bring an opinion.

Commissioner Marshall stated that the Committee was well attended by African American advocates for job opportunities. They are concerned that the Giants have not been responsive and they will not be responsible to hiring minorities and women for the project unless the HRC monitors the project.

Commissioners Jaicks and Santos expressed their concern about not knowing what powers or responsibilities fall under the HRC. The overall feeling was that because of the issue at the S.F. Airport the powers and duties of the HRC are being overlooked. After a lengthy discussion it was decided to wait for the City Attorney's recommendation to determine whether or not to pursue the issue.

Commissioner Marshall urged the Commissioners to attend the next Advisory Committee scheduled for Wednesday, February 19, 1997 where they can hear first hand from minority business owners regarding job opportunities they've lost. These business owners were concerned that if the new Giants Ballpark is not under the HRC's 12D guidelines, business opportunities will go to majority firms.

Commissioner Marshall reported that a matrix was presented to the Committee regarding all the committee's proposed administrative changes to 12D Ordinance.

Approval of recommendation to raise the economic threshold from $2 million to $5 million for Construction supplies and other suppliers.

Commissioner Marshall presented the above recommendation for approval. He explained that the Committee discussed at length the recommendation to raise the economic threshold from $2 million to 5 million for Construction supplies and other suppliers.

Answering a question from Commissioners, Bayard Fong explained that most of the testimony heard by the Committee was focused on construction suppliers. The economic threshold was deemed too low for overhead and materials. Deputy City Attorneys Jayne Lee and Mara Rosales were present at the meeting and they gave their favorable recommendation regarding the issue.

***Moved (Marshall)\Seconded (Dimapilis)\Unanimously in favor to approve to raise the economic threshold of suppliers from $2 to $5 million.

Commissioner Dimapilis thanked Deputy City Attorney Jayne Lee, Commissioner Marshall and Task Force members for the meetings held and their support.

Commissioner Santos expressed his frustration at the HRC's authority being questioned and not followed. He stated that history bears emphasis of the work that the HRC has done to promote equality in minority contracting and he is displeased at the HRC's authority being questioned and challenged.

Religious Task Force

Larry Brinkin reported that the Task Force is reviewing the surveys received and is in the process of preparing a report.

***Moved (Santos)\Seconded (Saliba-Malouf)\Unanimously approved to accept the Committee reports.

VISITORS

Richard Hanlin introduced himself as a local contractor. He stated that he was advised by Maria Cordero that he cannot receive a 10% preference point in contracts as a Caucasian male contractor and wanted the Commission to instruct the Director to write him a letter addressing this point.

Zula Jones, Senior Contract Compliance Officer reported that the Human Rights Commission responded in writing to Mr. Hanlin's question. Ordinance 12D does not exclude any entity. It was designed to include everyone in City contracts.

Answering a question from Mr. Hanlin, Ms. Jones stated that a Caucasian male contractor may receive a 10% preference point under the 12D Ordinance when a joint-venture agreement is formed.

UNFINISHED BUSINESS

Innovative Housing(IH). Don Hesse reported that he met with Mr. Ballestas for over an hour to discuss the IH case. Mr. Ballestas will make a presentation at the Issues Committee scheduled for January 30, 1997 at 5:30 p.m.

L.J.Dolan reported that she is employed full time. The job seems to be long term and she hopes to finish her probationary period. However she is working in Oakland where they are forcing residential rules. She thanked Jonnie Robinson who was instrumental in securing a job for her and Director Bamba for following up with HRC staff.

Director Bamba stated that there are two pending contracts at the Airport. Director Bamba is working closely with the Contract Compliance Officers at the Airport to ensure employment opportunities.

CALENDAR MATTERS

Public Hearing - The Commission will hear public testimony regarding the Disparity Study for the 12D Ordinance at its regular meeting scheduled for Thursday, February 27, 1997 at 4:30 p.m. at the Commission office.

Public Hearing - The Commission will hold a public hearing on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

NEXT MEETING

DATE: Thursday, March 19, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned in honor of Martin Luther King's Birthday at 6:50 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

W:\MLC\MINUTES 97\12397

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SF
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2/8/97

COMMISSIONERS STRATEGIC PLANNING SESSION

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

SATURDAY, FEBRUARY 8, 1997

9:00 A.M. TO 1:00 P.M.

25 VAN NESS AVENUE
THIRD FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

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☞ *Disability Access*

The HRC Conference Room is wheelchair accessible. The closest accessible BART station is the Civic Center Station. Accessible MUNI lines serving this location are the 26, 42, and 71 and the Metro station at Van Ness and Market.There is accessible parking in the vicinity of 25 Van Ness Avenue.
The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2508 (Voice) or 252-2550 (TDD).
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

1. Introduction
2. Report from Director
3. Report from HRC Managers
4. Discussion of goals and priorities
5. Discussion of communication - inter-commission, with Director and staff.
6. Upcoming initiatives from the Mayor's office
7. Adjournment

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

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THURSDAY, FEBRUARY 13, 1997

4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

☞ *Disability Access*

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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
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Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held January 23, 1997

3. GENERAL COMMUNICATIONS

4. REPORT OF THE CHAIR

   (a) Commissioners Status Report
   (b) Report on the Commissioner's Strategic Planning Session of 2/8/97.
   (c) Discussion of "HRC" Priorities for the year - decide on Priorities for the year.

5. REPORT OF THE DIRECTOR

(a) Approval of HRC Budget for Fiscal Year 97/98.
(b) Disparity Study Update

6. COMMITTEE REPORTS

(a) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, ViceChair
Commissioner German Martinez, Member
Bayard Fong, Committee Staff

(1) Committee Report
(2) Update on the New Giants Stadium Project

NOTE: The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, February 19, 1997, at 5:30 P.M. at 401 Van Ness Avenue, Room 207, San Francisco, CA 94102, Public Testimony regarding the 12D Ordinance will be heard.

(b) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, February 20,1997 at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Commissioner Antonio Salazar-Hobson, Member
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, February 18, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Employment Committee
Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, March 6, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

7. TASK FORCE REPORTS

(a) Religious Service Providers Task Force
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Member
Larry Brinkin, Committee Staff

(1) No Task Force Report.

NOTE: *Meetings of the Religious Service Providers Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. VISITORS

** NOTE: Speakers wishing to provide comments are requested to fill out speaker cards and will be called upon by the Chair. Speakers should keep their remarks short - preferably no longer than three minutes. At the discretion of the Chair, public comment may be heard during the Commission's discussion of agenda items.*

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. CALENDAR MATTERS

(a) A Public Hearing will be held on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, FEBRUARY 27, 1997

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
TDD: (415) 252-2550

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MINUTES OF THE COMMISSION MEETING OF THURSDAY, FEBRUARY 13, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Agar Jaicks, Comer Marshall, Rhonda Rochon, Antonio Salazar-Hobson, Ghada Saliba-Malouf, and Melecio Santos.

Absent: Shirley Dimapilis, and German Martinez.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Maria Cordero, James Fields, Bayard Fong, Cythia Goldstein, and Don Hesse.

Guests: Eladio J. Ballestas; Diane Miller, Miller Thompson; Ed Morales, Sierra Environmental; Jonnie Robinson, Mayor's Office; A. Ruiz, Hispanic Contractors Association.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Commissioner Knutzen congratulated Director Bamba on the recent court decision regarding the MBE/WBE/LBE Program. She stated that the Commissioners are proud of her work. The decision will be discussed at length under executive session.

Chair Knutzen stated that the Director and her met with Director Sonia Melara of the Commission on the Status of Women. One of the requests was that there is an outreach to women-owned businesses for "How to do Business with the City" workshop. Another request is that the HRC support the efforts of the Department of Human Resources in hiring two staff people to do sexual harrassment work.

Commissioners Strategic Planning Session

Commissioner Knutzen thanked the staff for planning the meeting. She stated that the agenda was a full agenda and al the issues where not addressed. The planning session was successful in addressing concerns from individual commissioners and the managing staff presentation. Commissioner Knutzen presented a letter to commissioners requesting their input about committee assignments. She stated that she will have assignments made at the next Commission meeting. One of the issues she wanted the Commissioners to be aware is the fundraising MBE/WBE/LBE Breakfast which allows the HRC to give awards to a deserving MBE. She requested the Commissioners to review the overall tasks assigned to the Commissioners and to advise her of any changes. These issues will also be addressed at the next Commissioner's Planning Session. Other issues are the Welfare Reform, Immigrant Rights, Tenant Rights as some issues. She assigned Commissioners to look into these issues and report back at the Commissioner's Planning Session.

5:00 p.m. time certain, Special Meeting:

1. Discussion and vote pursuant to Sunshine Ordinance Section 67.11(a) on whether to conduct a closed session.

***Moved (Salazar-Hobson)\Seconded (Saliba-Malouf), unanimously in favor to hold a closed session.

2. Possible closed session held pursuant to Brown Act Section 54956.9(a) and Sunshine Ordinance section 67.11:

Conference with Legal Counsel -- Existing Litigation

ABB Daimler-Benz Transportation Inc. vs. City and County of San Francisco.

3. Discussion and vote pursuant to Brown Act section 54951.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed held.

Motion: The Human Rights Commission finds that it is in the best interest of the public not to disclose its closed session deliberations re: existing litigation.

***Moved (Salazar-Hobson)\Seconded (Jaicks)\Unanimously in favor not to disclosed its closed session deliberations regarding existing litigation.

REPORT OF THE DIRECTOR

Approval of HRC Budget for Fiscal Year 97/98

Director Bamba presented the 97/98 HRC budget and stated that the budget is remaining within its baseline as instructed by the Mayor.

	Present 96/97	97/98
General Fund Budget	1,234,532	1,747,315 (including Domestic Partner Ordinance)
Work Order	1,303,760	1,303,760 (no requests yet confirmed)
OCD Grant	86,405	86,405 (only one-half program year)
Total HRC	2,624,697	3,137,480

Answering a question from Commissioner Chong, Director Bamba stated that the HRC has work order budget from the big city departments such as the Department of Public Works, the San Francisco International Airport, and the Port of San Francisco. She stated that there is an imbalance of what services the HRC provides, and what the HRC is expected to provide. She is negotiating with the San Francisco Fire Department. Commissioner Chong stated that the level of negotiating between the HRC Director and the City Department Director should not be happening, a legislative mandate by the Board of Supervisors should be developed. Large city departments should be particularly accountable to ensure affirmative action requirements are met. A uniform compliance ordinance should be addressed.

Director Bamba stated that she named a staff budget committee and requested that they look at three categories relative to the programs or services that may have a fiscal impact to the HRC budget. The three categories were: Mandated: Any ordinances that the HRC is in charge of enforcing. The second category is Essential: any services that the HRC has identified to be very crucial for implementing the ordinance such as clerical support, computerized tracking system, etc. Third category would be Enhancement of the Quality of Life for San Franciscans. With this framework she requested that the Budget Committee look at programmatic needs, and administrative needs.

She called upon Maria Cordero and Cynthia Goldstein for the presentation.

The Human Rights Commission has the following goals for FY 97/98:

- Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Program: Continue to maximize opportunities on City contracts; conduct outreach workshops throughout San Francisco; continue cooperative work with departments in advance of bids/RFP's.

- Employment/Affirmative Action: Increase level of employment on contracts; mediate class action/community based caseload; provide technical assistance to client population; provide youth employment opportunities.

- Fair Housing: Develop a comprehensive strategy for including City in settlement of fair housing cases; increase level of complaint monitoring; increase outreach to landlord community in fair housing laws and application.

- Lesbian Gay Bisexual Transgendered and HIV Unit: Investigate, mediate or provide technical assistance; implement education programs; provide workshops on affirmative action, diversity training, and technical support for all communities; implement and monitor the contract compliance aspects of the equal benefits Ordinance requiring equal benefits for employees with spouses and employees with domestic partners; monitor compliance to Transgender legislation.

- Immigration Discrimination/Hate Crimes: Continue to work with other City Departments regarding hate crime related issues; conduct hearings; investigate, mediate or provide technical assistance; monitor and track immigration discrimination and hate crimes complaints.

Major Initiatives and Policy Issues

M/W/LBE, Contract Compliance and Certification

1) MANDATED: Monitoring contracts awarded by other departments that are included in the Ordinance but do not have work orders with HRC such as; the Recreation and Parks Department, Department of Public Health, and others.

2) ESSENTIAL: Additional funding for Phase II of the Disparity Study to include leases and concessions; subcontracting activities for other contracting categories not currently in the Ordinance; disabled business owners; disabled veterans; American-Indians; Arab-Americans and revamping of the program to incorporate study findings. Translate of informational documents into Spanish, Tagalog, and Chinese to ensure comprehensive outreach to constituents. Such documents would include general anti-discrimination information, referral information, HIV in the Workplace model policies and fact sheets, and domestic partner documents.

3) QUALITY OF LIFE: Same as above.

1) MANDATED: Develop and implement a program designed to enforce the amendments to Chapter 12B requiring contractors and leaseholder to provide equal benefits to employees with spouses and employees with domestic partners. Processing complaints of discrimination filed pursuant to local law on the basis of gender identity (transgender) discrimination.

2) ESSENTIAL: Translate of informational documents into Spanish, Tagalog, and Chinese to ensure comprehensive outreach to constituents. Such documents would include general anti-discrimination information, referral information, HIV in the Workplace model policies and fact sheets, and domestic partner documents.

3) QUALITY OF LIFE ENHANCEMENT: Develop an outreach plan to educate a larger segment of the population about available anti-discrimination protection. Outreach methods to include regular columns in community newspapers, forums on issues of interest to the community, regular distribution of HRC informational materials, updating and supplementing the current CBO database, increasing the capacity of the current webpages, creating audio-visual resource materials such as slides, overheads and video cassettes and other related outreach materials. Development of training services and demand for such services. Expansion of training in the areas of sexual orientation sensitivity, transgender sensitivity, nondiscrimination in benefits-domestic partners information, and additional materials for HIV discrimination training's. Resource materials such as amplified hand-out materials, audiovisual materials and training techniques could all be developed and expanded to meet the increasing level of sophistication and expectations by consumers and companies seeking training. Coordination of services for the transgender community, including training for City departmental personnel, referral to City and CBO service providers, development of

protocols for transgender services provided by homeless shelters, jails, residential treatment facilities, and others.

PUBLIC ACCOMMODATION DISCRIMINATION & FAIR HOUSING

1) MANDATED: Enforce fair housing complaints, due to the low vacancy rates for apartments in San Francisco and the dismantling of public housing facilities, there has been a threefold increase in complaint of housing discrimination. Therefore, additional resources, through future work orders, are being requested.

2) ESSENTIAL: Develop and implement a program designed to test businesses and service providers for discriminatory acts on the basis of all protected categories with an emphasis on race and gender identity discrimination, which are the two categories where this form of discrimination most commonly occurs.

3) QUALITY OF LIFE ENHANCEMENT: Ensuring fair housing enforcement for San Francisco residents.

YOUTH AND EDUCATION

ESSENTIAL: To more fully identify and respond to issues facing youth and youth service providers, create links among City departments and CBOs serving youth, generate policy documents in response to Commission activities such as: conducting a survey and other research activities to identify issues and solutions to the problem of violence in schools; and generating neighborhood educational forums for an about youths. Translate of informational documents into Spanish, Tagalog, and Chinese to ensure comprehensive outreach to constituents. Such documents would include general anti-discrimination information, referral information, HIV in the Workplace model policies and fact sheets, and domestic partner documents

ADMINISTRATION

ESSENTIAL: HRC's current network operating software is obsolete and is no longer supported by its manufacturer, Banyon Vines. There is no anti-virus software available to protect its files. A major crash could jeopardize HRC databases which now contain over 500,000 records and represents eight years of work. This software will not operate with Windows or Windows 95, thereby eliminating our ability to upgrade. Installation of Novell network is essential to enable HRC to: access the City's e-mail system; allow wider access to the internet because each user would be given an individual model; greatly improve communication with other City departments

and the general public; facilitate the maintenance of our Web page; allow for the paperless faxing of large documents; improve database speed and performance for shared inquiry access to certification and M/W/LBE data and for report production; and support high speed access for HRC's outstations staff. Request include: purchase of Pentium computers an Windows 95 software for all users in order to meet word processing, spreadsheet and database needs. (Currently, only approximately fifteen of HRC's forty potential users have a computer at their desk. As a result, staff have to line up for a spare computer to complete their processing needs. In addition, half of the existing computers are 386 models which are unable to support Windows 95 and are very slow to process information and generate reports form HRC's large databases.) Purchase of desktop publishing software to meet the HRC's need for brochure and report productions. Computerized tracking software to manage and track complaints of discrimination to identify repeat offenders.

Answering a question from Commissioner Chey, David Treanor stated that under the Employment Unit has people assigned to it whose job is not to do statistical tracking, there are other individuals who are doing employment related work. However, an estimated less than 15% of the HRC's resources are used for employment-related monitoring.

Director Bamba stated that she believes the employment unit is in dire need of resources. Zula Jones is very aggressively negotiating for work order agreements from other City Departments in order to facilitate the hiring.

Answering a question from Commissioner Saliba-Malouf, Director Bamba stated that the request for an additional staff person for the Youth and Education Committee will be assigned for Youth and Education Committee work only.

Commissioner Knutzen stated that the timing of the Commissioner Strategic Session gave the staff the resource to know the Commission's priorities and it was well reflected on the document prepared for the budget.

***Moved (Saliba-Malouf)\Seconded (Jaicks)\Unanimously approved the budget submission to the Mayor.

Disparity Study

Director Bamba stated that a meeting was held with the deputy City attorneys, the Consultant and their attorney to research approach to justify this type of program. The study will have anecdotal information, an analysis of the complaints received, statistical information (the subcontracting information is not complete, non-minority,

non-disadvantaged firms are not included), also include Architects and Engineers and what they actually got paid for the contract, what modifications where included. This is a very labor-intensive process and cannot be completed by March 2, 1997. She stated that at the meeting with the City Attorney's Office, Ted Wang from the Coalition for Economic Equity representing the community, they decided to request from the Commission to justify an extension. The amount of time needed to complete the study has not been determined.

Jayne Lee, Deputy City Attorney stated that a close session will be advisable to hears concerns regarding the ninth circuit ruling in March regarding Proposition 209.

Director Bamba stated that the extension is needed for collecting data and analyzing the data for determining the effects of the program. In terms of justifying the program, there are several legal issues. There are two additional groups being looked into Native Americans and Arab-Americans to determine discrimination and whether or not they meet the Croson requirements and if there is sufficient testimony to provide statistical back-up.

Answering a question from Commissioner DImapilis, Director Bamba stated that the Vice-Chair Chong has agreed to a meeting with City College people who are working on their disparity study.

Answering a question from Commissioner Saliba-Malouf, Deputy City Attorney Jayne Lee stated that if the continuation is not approved, the program will sunset and there will be no program.

Director Bamba stated that there is documentation justifying the continuance; however, the study is not concluded.

COMMITTEE REPORTS

Minority/Women/Local Business Enterprise Program

Commissioner Marshall reported that the last meeting was dedicated for a disparity study hearing. The Committee heard significant and compelling testimony from San Francisco business owners.

Update on New Giants Ballpark

There will be a presentation at the next meeting, scheduled for February 19, 1997, from the Giants Organization, Mr. John Yee will be attending the session. The

meeting will be held at 401 Van Ness Avenue, Room 207.

Deputy City Attorney stated that the hearings are well scheduled for collecting anecdotal evidence. Written declarations should also be included.

Commissioner Marshall stated that there is a question regarding jurisdiction on whether or not Ordinance 12D will apply to the Giants Ballpark. The Port informed her that currently there is a lease and they are paying the City for the use of the land and there are no city monies involved. Therefore, leases and concessions are not included under 12D. The Port adopted the policy of 12D and a meeting has been set up to discuss goal setting in conjunction with the Human Rights Commission.

Director Bamba stated that Mr. Yee from the Giants Organization has voluntarily agreed to follow the guidelines of 12D.

Issues Committee

Tabled until the next Commission meeting.

Lesbian Gay Bisexual Transgender Advisory Committee Meeting

Commissioner Knutzen reported that the committee is tracking the implementation of the resolution approved at the Board of Education. The Committee did not meet.

Employment Committee

Commissioner Chey reported that Frank Anderson attended the Job Fair held on February 25, 1997. More than 30,000 people attended the Job Fair. Deputy City Attorney Jayne Lee reported on legal issues. Welfare Reform was also discussed. Supervisor Ammiano is exploring a legislation to set-aside 25% of jobs from city contracts for persons on welfare for welfare reform. The Committee is exploring the idea of expanding the Local Hiring Program to areas other than construction.

Commissioner Chey stated that the Commission needs to emphasize the 12B Ordinance since it affects the workers, local workers as well. The Commission is putting too much emphasis on 12D and contract monitoring and not employment issues.

Task Force Reports

Religious Service Providers Task Force

She stated that members were being very mysterious and could not reach a consensus, however, the issue of Archbishop Levada helped get the group back on track and issue response to a difficult decision. The report will be presented at the next meeting.

***Moved (Salazar-Hobson)\Seconded (Dimapilis)\unanimously approved all the reports.

VISITORS

Eladio Ballestas congratulated Director Bamba and the Human Rights Commission on Judge Cahill's decision. He stated that he was very happy that the Issues Committee heard a presentation regarding Innovative Housing. He requested that six members of the Commission vote to subpoena the records of Innovative Housing and the HRC to request the Mayor to request that the Mayor's Office of Housing take action against Innovative Housing.

Commissioner Knutzen stated that this issue is in being discussed of the Issues Committee.

Commissioner Salazar-Hobson stated that the issue will be responded to in a timely fashion.

Director Bamba stated that challenges that HRC contract compliance officers meet are tremendous. She wanted to recognize her staff, Zula Jones, Kevin Williams and Veronica Ng, they spent lots of late nights with her reaching an agreement to the People Mover's Contracts efforts and hard work. It was with much difficulty that they arrived at their investigation and that she arrived at her findings. In terms of the HRC's dilemma, is not to gloat, but to maintain a very firm support for the existing ordinances. She appreciated the support of the Commissioners.

Commissioner Knutzen stated that she was very proud of Director Bamba's report at the Airports Commission hearing.

After a long discussion, Commissioner Knutzen stated that Commissioners may inform the City Attorney that the Commissioners support Judge Cahill's decision. Commissioner Knutzen stated that a letter should be drafted by the Commissioners who suggest writing the letter and then submit it for discussion for the whole Commission.

Maria Cordero presented the Commissioners with this year's Economic of Interest Forms 700, which are due on April 1, 1997. Commissioners need to file ASAP.

CALENDAR MATTERS

Public Hearing - The Commission will hear public testimony regarding the Disparity Study for the 12D Ordinance at its regular meeting scheduled for Thursday, February 27, 1997 at 4:30 p.m. at the Commission office.

Public Hearing - The Commission will hold a public hearing on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

NEXT MEETING

DATE: Thursday, March 13, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned in honor of Dr. Carlton Goodman at 8:30 p.m.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

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City and County of San Francisco

Human Rights Commission

Willie Lewis Brown, Jr.
Mayor

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

SPECIAL MEETING

Marivic S. Bamba
Executive Director

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, FEBRUARY 13, 1997

5:00 P.M.

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HRC AGENDA
MEETING OF FEBRUARY 13, 1997
PAGE 2

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

SPECIAL - AGENDA

1. Discussion and vote pursuant to Sunshine Ordinance Section 67.11(a) on whether to conduct a closed session.

2. Possible closed session held pursuant to Brown Act Section 54956.9(a) and Sunshine Ordinance section 67.11:

   Conference with Legal Counsel -- Existing Litigation
   ABB Daimler-Benz Transportation Inc. vs. City and County of San Francisco.

3. Discussion and vote pursuant to Brown Act section 54951.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed held.

   Motion: The Human Rights Commission finds that it is in the best interest of the public (not) to disclose its closed session deliberations re: existing litigation.

4. Public comment on matters appearing or not appearing on the agenda.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SPECIAL MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, FEBRUARY 27, 1997

4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

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ROSTER OF COMMISSIONERS

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Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held February 13, 1997

3. **Presentation appearance by Louise Renne, City Attorney**

4. COMMUNICATIONS FILE

5. REPORT OF THE CHAIR

   (a) Commissioners Status Report
   (b) Report on the Commissioner's Strategic Planning Session of 2/8/97.
   (c) Discussion of "HRC" Priorities for the year - decide on Priorities for the year.
   (d) Announcing the new members for the MBE/WBE/LBE Advisory Committee; Youth and Education; and Lesbian Gay Bisexual Transgender Advisory

Committee.
(e) Committee Assignments

6. REPORT OF THE DIRECTOR

(a) Disparity Study Update
(b) Report on Challenges to Affirmative Action

7. COMMITTEE REPORTS

(a) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, March 20, 1997 at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Commissioner Antonio Salazar-Hobson, Member
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, March 18, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Employment Committee
Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, March 6, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(e) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, ViceChair
Commissioner German Martinez, Member
Bayard Fong, Committee Staff

(1) Committee Report
(2) Update on the New Giants Stadium Project

NOTE: The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, March 19 1997, at 5:30 P.M. at 401 Van Ness Avenue, Room 207, San Francisco, CA 94102, Public Testimony regarding the 12D Ordinance will be heard.

8. TASK FORCE REPORTS

(a) Religious Service Providers Task Force
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Member
Larry Brinkin, Committee Staff

(1) No Task Force Report.

NOTE: *Meetings of the Religious Service Providers Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

9. **PUBLIC HEARING REGARDING THE MBE/WBE/LBE PROGRAM .... 5:30 TIME CERTAIN**

** NOTE: Speakers wishing to provide comments are requested to fill out speaker cards and will be called upon by the Chair. Speakers should keep their remarks short - preferably no longer than three minutes. At the discretion of the Chair, public comment may be heard during the Commission's discussion of agenda items.*

10. **RESOLUTION CERTIFYING HRC FINDINGS TO THE BOARD OF SUPERVISORS SUPPORTING THE EXTENSION OF THE MBE/WBE/LBE ORDINANCE.**

11. VISITORS

12. UNFINISHED BUSINESS

13. NEW BUSINESS

14. CALENDAR MATTERS

(a) A Public Hearing will be held on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

15. ADJOURNMENT

NEXT MEETING: THURSDAY, MARCH 13, 1997

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MINUTES OF THE COMMISSION MEETING OF THURSDAY, FEBRUARY 27, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks, Comer Marshall, German Martinez, Antonio Salazar-Hobson, Ghada Saliba-Malouf and Mel Santos.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Maria Cordero, Ted Guggenheim (Intern), Bayard Fong, Don Hesse and Zula Jones.

Guests:

Victor Barrios, Filipino American Committee for Brown; Rudy Brokenleg, MAZA; Walt Driscoll, MAZA Construction Services; Isaac Franchetean, Rutland Group; Russell Hilken; Julio Jacamo, Harry Jamerson, Jamerson Construction; Ella Jamerson, Jamerson Construction; Flamingo Janitorial Services; Roberto Kattengell; Ana Menendez, C & M Electric; Joshio Nawa, NABAYA; Barry Pierce, Geotopo; Jonnie Robinson, Mayor's Office; Judith Roundn, BV2HP; Antonio Ruiz, Hispanic Contractors Association; Will Weston, BV2HP; and Charlie Walker, BV2HP.

APPROVAL OF MINUTES

***Moved (Jaicks)\Seconded (Saliba-Malouf) the minutes of February 13, 1997 were unanimously approved.

PRESENTATION APPEARANCE BY LOUISE RENNE, CITY ATTORNEY

Commissioner Knutzen welcomed City Attorney Louise Renne to the Commission.

Ms. Renne thanked the Commissioners for their invitation and stated that the HRC has her office full support. She indicated that she assigned a new Deputy City Attorney, Lori Giorgi. She stated that Deputy City Attorney Jayne Lee will continue to be a resource person for the HRC.

Answering a question from Commissioner Dimapilis, City Attorney Renne stated that San Francisco continues to grow for local businesses and that the HRC's authority is very helpful to all the small businesses. She stated that San Francisco is also a growing place where contractors continue to request to build.

Commissioner Knutzen thanked City Attorney Renne for her visit and relayed her appreciation for Deputy City Attorney Jayne Lee for her assistance.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Commissioner's Strategic Planning Session

Commissioner Knutzen requested that Commissioners work toward meeting the goals set-up at the Strategic Planning Session. A second session will be planned for the near future.

Commissioner Knutzen created the following Ad-Hoc Committees:

Director's Evaluation: Knutzen, Chong, Rochon, and Saliba-Malouf
MBE/WBE/LBE Breakfast Fundraiser: Knutzen, Jaicks
Unfinished Agenda: Marshall, Rochon.

Commissioner Knutzen stated that she attended a press conference sponsored by the Anti-Defamation League (ADL). The ADL reported that anti-Semitism incidents are reduced in the Bay Area.

REPORT OF THE DIRECTOR

Budget Update

Director Bamba reported that the budget was finalized and submitted to the Mayor. She thanked the Staff Budget Committee and the Commission Budget Committee for their input. She is now avidly negotiating work order budgets with the San Francisco International Airport and other city departments..

COMMITTEE REPORTS

Youth and Education Committee

Commissioner Mel Santos, Vice Chair reported that the Committee heard a report from MUNI who gathered statistical information on violence and vandalism in MUNI. The main issue reported was the lack of respect for the business, there were instances of a broken window in back of the buses when the bus driver did not pick up the passengers. MUNI is trying to train their drivers to be more courteous; however, there was a feeling that the public feels it is alright to vandalize buses, MUNI stations, and bus stop waiting areas.

The Committee is adding new youth members.

Staff Person Brian Cheu reported that the Committee also heard a presentation from the Lesbian & Gay Parents Association. They requested that the Committee aid them in showing a video in the School District regarding intergroup tensions.

Mr Cheu introduced the Chair and members of the Youth Commission who requested that the Human Rights Commission sponsor this year's Peace Walk. The Peace Walk serves as a fund raiser for schools. 22,000 people attended last year. This year it will be held on May 17, 1997; for more information call 282-9984.

Issues Committee

Staff Person Don Hesse stated that the Committee met on January 30, 1997. The meeting was dedicated to listen to complaints regarding Innovative Housing. The Director of the Mayor's Office of Community Development and staff attended. They heard from four people, including Mr. Ballestas who brought up five additional points. The Committee will specifically handle two of the issues at the next meeting. Innovative Housing's funding will be cut-off by the middle of March.

Lesbian Gay Bisexual Transgender Advisory Committee

Announcement that the Committee is in the process of interviewing and appointing new members to the Committee.

MBE/WBE/LBE Advisory Committee

Commissioner Marshall reported that the Committee heard a presentation from the Giants Administration and the Jefferson Company before the hearing on the disparity study. Commissioner Marshall named an Ad-Hoc Committee to oversee the progress of the New Giants ballpark, Darlene Mar, Mr. Harry Jamerson, Mr. Todd Lewis, Mr. Anthony Ruiz, and Ms. Dawn Clements are the members.

PUBLIC HEARING REGARDING THE MBE/WBE/LBE PROGRAM.

(A transcript of the hearing is available).

Resolution Certifying the HRC findings to the Board of Supervisors Support the extension of the MBE/WBE/LBE Ordinance.

Director Bamba gave a debriefing of what is happening with the disparity study. She stated that the consultant needs to review the different ways the City has kept the contracting data to ensure that the data is factual. The HRC is still holding hearings, one is being held tonight, and transcripts from the different public hearings will have to taken into account. Proposition 209 needs to also be taken into account when the disparity study is completed. She stated that at this time, the data gathering and anecdotal evidence is far from over. She requested that a special meeting be called to certify the HRC's findings. The Commission, mandated by Chapter 12D, must certify the HRC's findings 120 days prior to the expiration of the Ordinance. The deadline is March 3, 1997. A special meeting must be called to discuss the issue with the consultant in charge of the disparity study to understand the development of a comprehensive study is at this time.

Dr. Ramsey from Mason, Tillman and Associates reported that since the Croson decision in 1989, the Adarand case was approved which affected federal contracts. The program needs to gather anecdotal and statistical information. Her firm needs to gather data that has not been readily available from the City. She is working with the HRC in gthering data from the Controller's Office, the Airport, and DPW.

Answering a question from Commissioner Marshall, Director Bamba stated that an additional 4-5 months is needed to conclude the study.

VISITORS

Robert Kelleher reported that he has tried to get a concession contract at the Airport. He believes there is a monopoly on these jobs. He stated that Host/Marriotts allocates 33% to MBEs and WBEs, however, he was purposely "cast-out" of the process. He used to work with Host/Marriott and employees who were on the review panel told him that they were told by Host/Marriott not to vote for him. He requested the help from the Commission. Mr. Kelleher stated that he met and spoke to Mr. Spencer Vallor at the Airport, City Attorney at the Airport and the Director at the Airport, Mr. John Martin and nobody is willing to help him. He believes there is collusion between the Airport staff and Host/Marriott.

Director Bamba reported that she met with Mr. Kelleher and explained that the HRC does not have jurisdiction, that he should contact the City Attorney's Office or the Airport Commission.

Commissioner Knutzen offered her help in contacting the City Attorney's Office.

CALENDAR MATTERS

Public Hearing - The Commission will hold a public hearing on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

NEXT MEETING

DATE: Thursday, March 13, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was recessed at 8:35 p.m. and will be continued on Monday, March 3, 1997 at noon to address the issue of the MBE/WBE/LBE Ordinance.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

CONTINUATION OF THE SPECIAL MEETING OF THURSDAY, FEBRUARY 27, 1997

MONDAY, MARCH 3, 1997

12:00 NOON

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ROSTER OF COMMISSIONERS

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Frank Chong, Vice Chair
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Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

CONTINUATION AGENDA

1. Call to Order

2. Review of Findings noted in Resolution to the Board of Supervisors Supporting the Extension of the MBE/WBE/LBE Ordinance.

3. Action: Resolution Certifying HRC findings to the Board of Supervisors supporting the Extension of the MBE/WBE/LBE Ordinance.

4. Adjournment

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MINUTES OF THE CONTINUATION OF MEETING OF FEBRUARY 27, 1997 == COMMISSION MEETING OF MONDAY, MARCH 3, 1997.

Commission Chair Martha Knutzen called the meeting to order at 12:05 P.M.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks, Comer Marshall, German Martinez, Ronda Rochon, Antonio Salazar-Hobson, Ghada Saliba-Malouf and Mel Santos.

HRC Staff

Present: Marivic Bamba, Executive Director; Maria Cordero, Gail Roberts and Zula Jones.

Guests:

Deputy City Attorneys Giorgi and Rosales.

Review of Findings noted in Resolution to the Board of Supervisors Supporting the Extension of the MBE/WBE/LBE Ordinance.

Dr. Eleanor Ramsey, Mason Tillman and Associates presented the Commissioners with a breakdown of statistical information gathered thus far. Dr. Ramsey presented an overview of disparities studies done in other cities. Mike Leong, Statistician from Mason Tillman and Associates presented an overview of the data collected.

Resolution Certifying HRC findings to the Board of Supervisors suppoprting the Extension of the MBE/WBE/LBE Ordinance

WHEREAS, the San Francisco Administrative Code Chapter 12D Minority/Women/Local Business (MBE/WBE/LBE) Utilization Ordinance expires June 30, 1997 unless, pursuant to review by the Commission: Section 12D.15(E) of Ordinance 155-92, as amended, the Commission conducts public hearings and certifies findings; and

WHEREAS, the Human Rights Commission, through its MBE/WBE/LBE Community Advisory Committee and at its regular and special meetings, has received public testimony since the adoption of the 1992 Ordinance, concerning the City's compliance with said Ordinance; and

WHEREAS, the Human Rights Commission hired Mason Tillman Associates to conduct a Disparity Study on January 13, 1997, which will be concluded on or before August 31, 1997; and

WHEREAS, the Human Rights Commission, through its MBE/WBE/LBE Community Advisory Committee, conducted sunset hearings on January 29, 1997 and February 19, 1997 and on February 27, 1997 before the full Commission; and

WHEREAS, the Human Rights Commission has received from Mason Tillman Associates a statistical analysis of the MBE/WBE/LBE Progress Reports for fiscal years 1992-93, 1993-94, and 1994-95 suggesting patterns of under utilization; and

WHEREAS, the Human Rights Commission has received oral and written testimony of businesses that seek to enter into contracts with the City or are doing business with the City detailing City contracting practices and community conditions that cause the exclusion or reduce the opportunities of minority and woman owned businesses to be awarded City contracts and the competitive disadvantages local business continue to face; and

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission, at the March 3, 1997 special meeting and on the basis of the above, certifies to the Board of Supervisors that, after conducting public hearings and collecting preliminary supporting data, the Commission finds that there may be basis for concluding that the purposes identified in Section 12D.3 have not yet been achieved.

FURTHER BE IT RESOLVED that the Human Rights Commission shall transmit to the Board of Supervisors by August 31, 1997 the completed disparity study and resulting recommendations to construct a narrowly tailored program to remedy identified discriminatory practices; and

STILL FURTHER BE IT RESOLVED that the Human Rights Commission requests that the San Francisco Board of Supervisors continue with the process of fact finding and recommends that the Board of Supervisors consider whether there is a basis for extending MBE/WBE/LBE Ordinance - III for a period of time which would allow consideration of the Disparity Study being undertaken by Mason Tillman Associates.

***Moved (Marshall)\Seconded (Chong)\unanimously in favor to approve the above resolution and to forward the same to the Board of Supervisors.

Commissioner Knutzen adjourned the meeting at 1:15 p.m.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

c:\minutes 3 3 97

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MARCH 13, 1997

4:30 P.M.

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ROSTER OF COMMISSIONERS

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Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held February 13, 1997, February 27, 1997 and Special Meeting of March 3, 1997.
   (Minutes of 2/27/97 and 3/3/97 under separate cover).

3. COMMUNICATIONS FILE

4. REPORT OF THE CHAIR

   (a) Commissioners Status Report
   (b) Scheduling the second Commissioner's Strategic Planning Session.
   (c) Discussion of "HRC" Priorities for the year - decide on Priorities for the year.

5. REPORT OF THE DIRECTOR

   (a) Disparity Study Update
   (b) Revamping of Certification Process & Database
   (c) Other Contract Compliance Improvements

(e) Update on Employment Unit Activity
1) Welfare Reform
2) NAACP

6. COMMITTEE REPORTS

(a) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1)Approval of Recommendation to support legislation repealing Section 15.7 of the San Francisco Administrative Code which singles out Mental Health Facilities for special posting and hearings on neighborhood sittings.

(2)Approval of Recommendation to amend the San Francisco Administrative Code, Chapter 12C to prohibit discrimination by all City Contractors against clients or customers.

(3)Committee Report

NOTE: *The next meeting of the Issues Committee will be held on April 3, 1997, at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Commissioner Antonio Salazar-Hobson, Member
Larry Brinkin, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, March 18, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Employment Committee
Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, April 3, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(d) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, ViceChair
Commissioner German Martinez, Member
Bayard Fong, Committee Staff

(1) No Committee Report
(2) Update on the New Giants Stadium Project

NOTE: The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, March 19, 1997, at 5:30 P.M. at 401 Van Ness Avenue, Room 207, San Francisco, CA 94102, Public Testimony regarding the 12D Ordinance will be heard.

(e) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) No Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, March 20, 1997 at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

7. TASK FORCE REPORTS

(a) Religious Service Providers Task Force

Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Member
Larry Brinkin, Committee Staff

(1)Task Force Report.

(2)Action: Accepting the Final Report from the Religious Service Providers Task Force.

NOTE: *Meetings of the Religious Service Providers Task Force are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. VISITORS

** NOTE: Speakers wishing to provide comments are requested to fill out speaker cards and will be called upon by the Chair. Speakers should keep their remarks short - preferably no longer than three minutes. At the discretion of the Chair, public comment may be heard during the Commission's discussion of agenda items.*

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. CALENDAR MATTERS

(a) A Public Hearing will be held on Thursday, April 10, 1997 on Rules of Procedure for the Equal Benefits Ordinance amendment to Chapter 12B.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, MARCH 27, 1997

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF

Admin Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415) 703-0121 and web site http:///www.ci.sf.ca.us./ethics/.

HUMAN RIGHTS COMMISSION

March 13, 1997

The Minutes of this meeting are missing.

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Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MARCH 27, 1997

4:30 P.M.

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EIGHTH FLOOR CONFERENCE ROOM
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In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

A G E N D A

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. EXECUTIVE SESSION

(a) Vote of the Commission on whether or not to go into closed session with the City Attorney to discuss pending litigation in ABB Daimler-Benz Transportation (North America Inc. (Adtranz) v. C.C.S.F. the Commission.

(b) Closed Session on Pending Litigation in Adtranz v. C.C.S.F.

(c) Vote of the Commission on whether or not to disclose any or all of the discussions with counsel during the closed session.

3. APPROVAL OF MINUTES

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR

(a) Commissioners Status Report
(1) Sunset Community Forum: Commissioner Frank Chong

(b) Date set for Strategic Planning Session II.

6. REPORT OF THE DIRECTOR

(a) Disparity Study Update.

7. COMMITTEE REPORTS

(a) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, April 15, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Employment Committee
Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) Committee Report.

(2) SF Sewage Treatment Plant, Spec. No. 1132N; Final Report regarding settlement of complaints of discrimination filed against Jeffco Painting Company.

(3) Acknowledgment of 1996 Employer Recognition Award to the Human Rights Commission by New Ways Workers.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, April 3, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(c) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis Chair
Commissioner German Martinez, Member
Carmen Smith, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Committee will be held on Wednesday, April 16, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Youn-Cha Shin Chey, Member
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, April 17, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) No Committee Report.

(2) Issuing subpoena to Innovative Housing.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. UNFINISHED BUSINESS

(a) Vote on resolution asserting the right of the Human Rights Commission to determine the validity of San Francisco's construction contracts.

(b) Vote on resolution regarding the counting of Minority and/or Woman Business toward the goals of prime contract participation.

9. VISITORS*

** NOTE: Speakers wishing to provide comments are requested to fill out speaker cards and will be called upon by the Chair. Speakers should keep their remarks short - preferably no longer than three minutes. At the discretion of the Chair, public comment may be heard during the Commission's discussion of agenda items.*

10. NEW BUSINESS

11. CALENDAR MATTERS

(a) **4:30 PM April 10, 1997 Public Hearing on Rules of Procedure for the Nondiscrimination in Benefits Ordinance amendment to Chapter 12B in the Board of Supervisors' Chambers, 401 Van Ness Avenue, Room 404, San Francisco, CA 94102.**

(b) **Cancellation of regularly scheduled April 10, 1997 Commission meeting.**

12. ADJOURNMENT

NEXT REGULAR MEETING: THURSDAY, APRIL 24, 1997

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520- 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (4135) 703-0121 and web site http:///www.ci.sf.ca.es./ethics/.

City and County of San Francisco

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Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
TDD: (415) 252-2550

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MINUTES OF THE COMMISSION MEETING OF THURSDAY, MARCH 27, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks, Comer Marshall, German Martinez, Rhonda Rochon, Antonio Salazar-Hobson, Ghada Saliba-Malouf and Mel Santos.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Ed Campos, Zula Jones, Gail Roberts.

Guests

Maria C. Chamorro, Robert Katengill, Sheji S. Kitchen, Toshio Nawa, NABAYA; Jonnie Robinson, Mayor's Office and Wayne Sherman.

VISITORS

Wayne Sherman spoke with a person who identified himself as an HRC Commissioner, Jim WalkingBear, who is a member of the MBE/WBE/LBE Committee, and he told him not to come to the Commission to try and point out disability issues. Commissioners Knutzen and Jaicks assured Mr. Sherman that the Commission is available to listen to the public's concerns.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

EXECUTIVE SESSION

(a) Vote of the Commission on whether or not to go into closed session with the City Attorney to discuss pending litigation in ABB Daimler-Benz Transportation (North America, Inc. (Adtranz)v. CCSF the Commission.

***Moved (Marshall)\Seconded (Chey)\unanimously in favor to go into closed session.

(b) Closed session on pending litigation Adtranz v. CCSF

(c) Vote of the Commission on whether or not to disclose any or all of the discussions with counsel during the closed session.

***Moved (Chey)\Seconded (Marshall)\Unanimously in favor not disclosed any information with counsel during the closed session.

REPORT OF THE CHAIR

Commissioner Chong reported on the Sunset Community Forum. Commissioners Dimapilis and Marshall were also present. The forum took place to establish communication among the community. There is no vehicle to establish dialogue. That is one of the reasons why the community felt helpless regarding the hate vandalism in the area. There will be other forums scheduled.

Commissioner Marshall reported on a meeting held between the NAACP and Director Bamba regarding employment at the San Francisco International Airport. This is an issue of employment of minorities by airline carriers. Commissioner Knutzen appointed NAACP members to standing committees as requested by Mr. Alex Pitcher, President of the SF NAACP.

Commissioner Chey suggested a letter be sent to the Mayor commending Supervisors Yee and Teng and offering HRC help with the Sunset District problems. Director Bamba stated that she already discussed the HRC proactive approach with Supervisors Yee and Tang. They would like the HRC to take a lead role on the issue. Director Bamba is to draft a letter on the issue. Commissioner Saliba-Malouf stated that she will place the item on the Youth and Education Committee Agenda.

Commissioner Knutzen reminded everyone of the MBE/WBE/LBE Breakfast Award event to be held on Tuesday, May 6, 1997.

REPORT OF THE DIRECTOR

Disparity Study Update

Director Bamba distributed an updated list of the Disparity Study calendar. She explained that an interim legislation is in process and is to be presented at the next Commission meeting.

Commissioner Jaicks requested that the interim ordinance specify the HRC's authority.

Director Bamba stated that the effort is to continue the existing ordinance, gather as much evidence as possible and to request an extension for six months.

Commissioner Knutzen requested a report of the final work plan and scope of work from the consultant. Director Bamba stated that the Mayor approved $226,000 for the disparity study. The consultant will report to the Committees and the Commission periodically.

Commissioner Knutzen stated that all recommendations provided by the MBE/WBE/LBE Advisory Committee be coveyed to the consultant. Lori Giorgi will follow-up on the matrix provided to Jayne Lee.

COMMITTEE REPORTS

Employment Committee

Commissioner Rochon reported that the Committee recruited new members, particularly from the business community. Frank Anderson stated that the Bay Area Urban League held their annual Job Fair. He reported that it was very successful, 90 employers were present. The Fair is one of the oldest job fairs held every year in San Francisco.

Mr. Anderson introduced Ed Campos, Human Rights Representative. Ed Campos reported on the final report of investigation of a settlement of complaints of discrimination San Francisco Sewage Treatment Plant, Spec. No.1132N. The complaint was filed against Jeffco Painting Company, a subcontractor of Homer J. Olsen. The complainants stated that the company failed to pay prevailing painter's wages to three former employees. Mr. Campos' investigation received a settlement as follows: The HRC would not take action against Jeffco Painting Co., in issuance of fines, penalties or sanctions in exchange for settling this matter. Jeffco Painting Company admits no wrongdoing., The three workers would be re-classified from laborers to journey-level painters and receive compensation equal to the difference in prevailing wages. The three workers received from Jeffco Painting Company back wages totaling $6,872.51.

Commissioner Knutzen congratulated Mr. Campos on the settlement agreement.

Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Knutzen reported that the Committee also welcomed new members. The Unit is very busy implementing the new legislation requiring City contractors to provide equal benefits for employees with spouses and employees with domestic partners.

The Committee discussed the sex clubs guidelines. Dr. Mitchell Katz, Director of the AIDS Office of the Department of Public Health did a presentation regarding sex club guidelines. The presentation was thorough and answered many questions from by the members. The Committee also heard from Buzz Bense of the Coalition for Healthy Sex expressed concemed that DPW did not hold public hearings on its sex club regulations. He requested that DPH sponsor a public forum and to balance public health concems with attention to civil liberties. The primary concern from the Department of Public Health are HIV and HIV transmission. Dr. Katz explained that only business in which people can meet there and have sex on the premises are monitored. Hotels are not monitored, nora are hot tubs where people meet outside and rent private rooms once they get there. The Committee will continue this discussion.

The next meeting will be held April 15, 1997 and it will be the annual retreat.

MBE/WBE/LBE Advisory Committee

Commissioner Marshall reported that the Committee welcomed a new member, Ms. Diane Miller, owner of Pan Marine Constructors. Copies of the transcripts for the public hearings on February 19, 1997 and February 27, 1997 were distributed. The new committee staff person is Carmen Smith, Contract Compliance Officer, as the new committee staff person. The Committee heard a presentation from Cynthia Goldstein, Contract Compliance Officer, regarding the new Equal Benefits Legislation. Subcontractors are not required to comply with this law. However, the law covers all entities who have or seek to enter into contracts with the City and County of San Francisco for public works or improvements, for a franchise, concessions or leases of City property or for goods, services or supplies to be purchased at the expense of the City and County.

Issues Committee

Commissioner Salazar-Hobson reported that the bulk of the meeting was spent discussing the Innovative Housing complaint and the powers of the HRC to issue a subpena. Deputy City Attorney gave a presentation clarifying the HRC powers in subpoena documents. THe HRC is only able to subpoena for its own use, not to tum over to another body. The complainant should go to the Justice Department or the San Francisco District Attorney's office to look into the matter. The Issues Committee will further discuss the issue of reviewing the Innovative Housing application and whether or not the same application has been used. The Complainant wants the HRC to issue a finding and a referral to the Justice Department.

Youth and Education Committee

The Youth and Education Committee has ten new members. The committee's task force will be interviewing young people regarding violence in the schools and also will obtain more information from teachers. Commissioner Jaicks stated that the programs at San Francisco Unified School District are very different. There are differences in homophobia and the implementation of programs. Commissioner Saliba-Malouf stated that one of the Committee's goals is to research where the successes occurred. Which program has been successful and what are the recommended implementation of these programs in other schools.

The Committee members will participate in the Youth Empowerment, Peace Walk on May 17, 1997. Commissioner Saliba-Malouf encouraged the Commissioners to participate.

UNFINISHED BUSINESS

(a) Vote on resolution asserting the right of the Human Rights Commission to determine the validity of San Francisco construction contracts.

RESOLUTION ASSERTING THE RIGHT OF THE HUMAN RIGHTS COMMISSION TO DETERMINE THE VALIDITY OF SAN FRANCISCO'S CONSTRUCTION CONTRACTS

WHEREAS the San Francisco Human Rights Commission's Executive Director, Marivic S. Bamba, found the Mitsubishi Construction Company's bid to build a "people mover" at the San Francisco Airport to be out of compliance with Chapter 12D of the San Francisco Administrative Code, thereby invalidating the Mitsubishi bid; and

WHEREAS Director Bamba's authority under the San Francisco Charter and the San Francisco Administrative Code has been challenged by public pronouncement in Superior Court;

NOW, THEREFORE, BE IT RESOLVED that the San Francisco Human Rights Commission stands by its Executive Director's findings in the Mitsubishi bid; and

FURTHER BE IT RESOLVED that the San Francisco Human Rights Commission asserts its rights to determine the validity of San Francisco's construction contracts as described int he San Francisco Administrative Code and the City Charter.

Commissioner Knutzen stated that she supports the Director's authority, however, she questions whether or not the Commission should adopt the findings when the findings are not the Commission's to review. The findings are the Director's findings under her authority. The ultimate authority lays with the Executive Director.

Commissioner Jaicks stated that the Commission has been silent regarding the "people mover" contract. The Airport Commission expressed their support for their Director. Although the HRC stood behind its Director, it never expressed this support publicly.

Commissioner Saliba-Malouf expressed her confidence in the Executive Director, who she blieves is a leading authority regarding contract compliance.

***Moved (Jaicks)\Seconded (Chey)\Unanimously in favor to approve the above resolution.

Commissioner Chey suggested a meeting with the Mayor.

CALENDAR MATTERS

Public Hearing - The Commission will hold a public hearing on Thursday, April 10, 1997 on Rules of Procedure for Domestic Partner Benefits Ordinance amendment to Chapter 12B Ordinance.

NEXT MEETING

DATE: Thursday, April 10, 1997

TIME: 4:30 P.M.

PLACE: Board of Supervisors Chambers
401 Van Ness Avenue
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SF
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1/10/97

MEMORANDUM

TO: Department Head
FROM: Marivic S. Bamba
DATE: March 31, 1997
RE: Public Hearing on Rules of Procedure for Nondiscrimination in Benefits Ordinance

Attached to this memorandum is a flyer announcing a public hearing before the Human Rights Commission regarding the draft Rules of Procedure the Commission will adopt for implementing and enforcing the new Nondiscrimination in Benefits amendments to the Administrative Code. The purpose of the hearing is to gather public input into the drafting of the Rules. These Rules are important to the implementation of the new legislation and your department's review and comments would be appreciated. A copy of the draft Rules is attached for your convenience.

The hearing will take place on Thursday, April 10, 1997 at 4:30 p.m. in the Board of Supervisors' Chambers, located at 401 Van Ness Avenue, Room 404. If you have any questions about the Public Hearing or the Rules of Procedure, please feel free to contact my staff representative, Cynthia Goldstein, at (415) 252-2515.

Thank you for your assistance with this matter.

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PUBLIC HEARING

BEFORE THE

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

ON

NONDISCRIMINATION IN BENEFITS ORDINANCE

RULES OF PROCEDURE

Date:	Thursday, April 10, 1997
Time:	4:30 p.m.
Place:	Board of Supervisors' Chambers 401 Van Ness Avenue, Room 404 San Francisco, CA 94102

For further information, contact Cynthia Goldstein at (415) 252-2515.

(over)

DISABILITY ACCESS

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DRAFT

Rules of Procedure

for the

Nondiscrimination in Contracts: Equal Benefits Provisions

of

Chapter 12B of the San Francisco Administrative Code

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City and County of San Francisco

Human Rights Commission

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I. PURPOSE

To articulate guidelines for implementing the provisions of Chapter 12B of the San Francisco Administrative Code prohibiting City Contractors from discriminating in the provision of benefits to employees with spouses and employees with domestic partners and to the spouses and domestic partners of employees. To create a flexible implementation plan designed to provide guidance to entities seeking to comply with the law.

II. DEFINITIONS

A. Benefits

"Benefits" means any plan, program or policy provided by a City Contractor to its employees as part of the employer's total compensation package. This includes, but is not limited to, the following types of benefits: retirement plans; medical, dental and vision plans; bereavement, family medical, parental and other leave policies; disability and life insurance plans; employee assistance programs; discounts; access to facilities, services and events; travel and relocation expenses; incentive, stock option, and profit sharing plans and other compensation programs.

B. Cash Equivalent

"Cash Equivalent" means the amount of money paid to an employee by a City Contractor who, despite taking all reasonable measures, is unable to end discrimination in benefits. The cash equivalent shall be the amount of money paid by the City Contractor for the benefit given to a similarly situated employee.[1] To the extent that a City Contractor limits the availability of any benefit to the spouses of employees, or vice versa, the availability of a cash equivalent may be similarly limited. The cash equivalent payment shall be made either on the same schedule as the City Contractor uses for the benefit given to employees with spouses, or, if no such schedule exists, on another schedule so long as such payment is made no less than once per month.

---

[1] The following scenario is provided as an example of similarly situated employees: A City Contractor with locations in Dallas, TX and Bridgeport, CT, offers spousal health insurance to its employees. After taking all reasonable measures, the City Contractor is still unable to provide health insurance for the domestic partners of its employees. The cash equivalent it would pay to its Bridgeport employees would be the amount of money paid by the City Contractor for benefits given to employees with spouses in Bridgeport; the cash equivalent the City Contractor would pay to its Dallas employees would be the amount of money paid by the City Contractor for benefits given to employees with spouses in Dallas.

C. City Contractor

"City Contractor" means any person or persons, firm, partnership, corporation, or combination thereof, who submits a bid and/or enters into a contract with department heads and officers empowered by law to enter into contracts on the part of the City and County for public works or improvements to be performed, or for a franchise, concession or lease of City property, or for goods, services or supplies to be purchased, at the expense of the City and County or to be paid out of moneys deposited in the treasury or out of trust moneys under the control or collected by the City and County.

D. Nondiscrimination in Benefits

"Nondiscrimination in Benefits" means the equality of benefits as between employees with spouses and employees with domestic partners, as between spouses of employees and domestic partners of employees, and as between dependents and family members of spouses and dependents and family members of domestic partners.

A City Contractor will not be deemed to be discriminating in the provision of benefits where:

(1) the implementation of policies ending discrimination in benefits is delayed following the first award of a City contract to a City Contractor after June 1, 1997:

(a) until the first effective date after the first open enrollment period following the date the contract with the City and County begins. This provision will only apply to benefits for which an open enrollment period applies.

(b) until administrative steps can be taken to incorporate nondiscrimination in benefits into the City Contractor's infrastructure. The time allotted for these administrative steps shall apply only to those benefits for which administrative steps are necessary and may not exceed 3 months, unless otherwise authorized in writing by the Human Rights Commission or its designee.

(c) until the expiration of a City Contractor's current collective bargaining agreement(s) where the all of the following conditions have been met:

i. the provision of benefits is governed by one or more collective bargaining agreement(s); and

ii. the City Contractor requests that the Union(s) involved agree to reopen the agreement(s) in order for the City Contractor to take whatever steps necessary to end discrimination in benefits; and

iii. in the event the Union(s) does not agree to reopen the agreement(s), the City Contractor takes all reasonable measures to end discrimination in benefits, including ending discrimination in benefits without reopening the collective bargaining agreement(s); and

iv. in the event that the City Contractor cannot end discrimination in benefits despite taking all reasonable measures to do so, the City Contractor provides a cash equivalent to eligible employees for whom benefits are not available. Unless otherwise authorized, in writing, by the Human Rights Commission or its designee, this cash equivalent payment must begin at the time the Union(s) refuse to allow the collective bargaining agreement(s) to be reopened, or in any case no longer than three (3) months from of the date the contract with the City is entered into.

(2) after taking reasonable measures, the City Contractor is unable end discrimination in benefits and instead provides the closest approximation of equal benefits available.

(3) it elects to provide benefits to individuals other than employees' spouses, employees' domestic partners, or their dependents, so long as the City Contractor does not discriminate in the provision of benefits as between employees with spouses and employees with domestic partners.

(4) it elects to provide benefits on a basis unrelated to both marital status and domestic partner status.

(5) it provides benefits neither to employees' spouses nor to employees' domestic partners.

III. Reasonable Measures

The Human Rights Commission will determine whether a City Contractor has taken all reasonable measures upon the review of compelling documentation provided by the City Contractor that demonstrates that it is not possible for the City Contractor to end discrimination in benefits. A determination that it is not possible for the City Contractor to end discrimination in benefits shall be based upon a consideration of such factors as:

(1) The number of benefits providers identified and contacted, in writing, by the City Contractor, and written documentation from these providers that they will not provide equal benefits;

(2) The existence of benefits providers willing to offer equal benefits to the City Contractor; and

(3) The existence of federal or state laws which preclude the City Contractor from ending discrimination in benefits.

IV. JURISDICTION

A. Subcontractors

The nondiscrimination in benefits requirements do not apply to subcontractors.

B. Location

The nondiscrimination in benefits requirements apply to all locations throughout the United States where a Contractor is doing business.

C. Covered Entity

The entity which enters into a contract with the City is the entity which must comply with the ordinance. Separate corporate entities, including parents and subsidiaries of the entity which contracts with the City, are not required to comply with the ordinance. In the case of a joint venture, all joint venture partners will be required to comply. The Human Rights Commission or its designee will examine the corporate structure of the entity to determine whether it has been created for separate, independent and legitimate business reasons, and not for the purpose of avoiding the ordinance. The factors to be included in this determination shall include: (a) the legal status of the entity; (b) the way in which and location where benefits are administered; (c) the authority of the person signing the contract; and (c) any other factors deemed relevant by the Human Rights Commission.

V. EXEMPTIONS AND WAIVERS

A. Procedure for Requesting an Exemption

A contracting department or commission may request an exemption under Chapter 12B.5-1(a)(1) and 12B.5-1(a)(2) by completing Human Rights Commission Form ___ and submitting it to the Director of the Human Rights Commission. Pursuant to Chapter 12B.5-1(a) a sole source exemption will be deemed granted upon issuance by the Director of the Human Rights Commission or the Director's designee of a notice to the contracting department or commission that such an exemption has been granted. Pursuant to Chapter 12B.5-1(b) an emergency exemption will be deemed granted upon the proper filing with the Director of the Human Rights Commission of a statement in compliance with section IV(B)(2) of these Rules.

B. Basis Upon Which an Exemption will be Allowed

(1) Sole Source Exemptions

A sole source exemption shall be based on a statement that:

(a) the goods or services to be purchased by the City are needed; and

(b) there is only a sole source available to provide the City with the needed goods or services; and

(c) the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency based on any contract compliance requirements; and

(d) the contracting department or commission has explained to the prospective contractor the nondiscrimination in benefits requirements of Chapter 12B and the prospective contractor has refused to stop discriminating in the provision of benefits; and

(e) the contracting department or commission agrees to (i) construct the contract for the shortest reasonable duration and (ii) attempt to award any future contracts for the needed goods or services to a contractor that does not discriminate in the provision of benefits by developing contacts with other providers who do comply with the nondiscrimination in benefits requirements of Chapter 12B and/or by assisting the sole source provider with full compliance with the nondiscrimination in benefits requirements of Chapter 12B.

(2) Emergency Exemptions

An emergency exemption shall be based on a statement that:

(a) pursuant to Administrative Code Section 6.30, the contract is necessary to respond to an emergency which endangers the public health or safety; and

(b) no entity that complies with the nondiscrimination in benefits requirements of Chapter 12B capable of performing the emergency work is immediately available.

C. Waivers

The Board of Supervisors may waive by resolution the domestic partners benefits requirements of Sections 12B.1(b) and 12B.2(b) in any instance in which there are no qualified responsive bidders who do not discriminate in the provision of benefits and the head of the contracting department or commission determines that the contract is for an essential City service or project.

VI. EFFECTIVE DATE

The nondiscrimination in benefits provisions apply to contracts or other agreements involving real or personal property, executed or amended on or after June 1, 1997. The nondiscrimination in benefits provisions not apply to contracts or leases for less than two years that result from bid packages advertised and made available to the public, or any competitive or sealed bids received by the City, prior to June 1, 1997.

VII. OTHER ISSUES

A. Internal Domestic Partner Registry

In addition to recognizing as valid domestic partnerships registered in accordance with the provisions of Chapter 12B of the San Francisco Administrative Code, a City Contractor may institute an internal domestic partner registry to allow for the provision of equal benefits to employees with domestic partnerships who do not register their partnerships pursuant to a governmental body authorizing such registration, or who are located in a

jurisdiction where no such governmental domestic partnership registry exists. In such cases, the Human Rights Commission encourages City Contractors to do so.

B. Verification of Domestic Partnership or Marriage

A City Contractor may verify the existence of a domestic partnership or marriage to the extent such verification is undertaken equally for employees with domestic partners and employees with spouses.

C. Excess Costs

In the event that the actual cost of providing a certain benefit to an employee with a domestic partner or an employee's domestic partner exceeds that of providing the benefit to an employee with a spouse or to an employee's spouse, or vice versa, the City Contractor may condition nondiscrimination in benefits upon the employee agreeing to pay the excess costs. The excess costs the City Contractor may pass on to the employee may include only the actual costs of the benefit for that employee and may not include implementation or administrative costs, any tax consequence to the employer, or additional costs to other employees.

D. Taxation

(1) The withholding of income tax from an employee for income associated with the provision of benefits is permissible to the extent the taxation is required by state or federal law.

(2) Nothing in these rules is intended to require a City Contractor to take any action that would jeopardize the tax-qualified status of a retirement plan.

E. Notification

Notification by a City Contractor to its employees regarding the provision of benefits to employees with spouses and employees with domestic partners must be conducted so that all employees are given equal notice of all available benefits.

F. Continuation Coverage

The continuation of benefits, including health benefits, should be provided equally to the spouses of employees and the domestic partners of employees, except where otherwise prohibited by law.

DRAFT

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

SPECIAL HEARING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 10, 1997

4:30 P.M.

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The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2508 (Voice) or 252-2550 (TDD).
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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6083.

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. CALL TO ORDER

2. Approval of letter to the Board of Supervisors encouraging their support of Assembly Bill 1059 which would require insurance providers in California to offer domestic partner benefits.

3. Public Hearing Before the Human Rights Commission on the Rules of Procedure for the Nondiscrimination in Benefits Amendments for Chapter 12B of the San Francisco Administrative Code.

4. Possible Action Item: Approval of Rules of Procedures for the Nondiscrimination in Benefits Amendments to Chapter 12B of the San Francisco Administrative Code.

5. Adjournment

NEXT MEETING: THURSDAY, APRIL 24, 1997

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin Code 16.520 - 16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415) 703-0121 and web site http:///www.ci.sf.ca.us./ethics/.

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CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
TDD: (415) 252-2550

MINUTES OF THE COMMISSION SPECIAL HEARING OF APRIL 10, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Agar Jaicks, Comer Marshall, Ghada Saliba-Malouf and Mel Santos.

Excused

Shirley Dimapilis, German Martinez, Rhonda Rochon, and Antonio Salazar-Hobson.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Brian Cheu, Maria Cordero, Cynthia Goldstein, and Zula Jones.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

Introductory Remarks

Commission Chair **Martha Knutzen** welcomed everyone to this Special Hearing on the Rules of Procedures for the Nondiscrimination in Benefits. She thanked the people Harvey Milk Club, who brought the issue to the Board of Supervisors. Supervisors Ammiano, Katz and Leal for sponsoring the legislation and carrying it through. She thanked the planning committee, comprised of Buck Deventhal, Chris Hayashi, and Jayne Lee from the City Attorney's Office; Edwin M. Lee, City Purchaser and Marc Rosaan also from the Purchasing Department; Barbara Koldesar from the Mayor's Office of Small Business; Sue Lee from the Mayor's Office of Economic Development, and Jonnie Robinson, Rebecca Prozan and Dean Goodwin, from the Mayor's Office. She also thanked the HRC Director Marivic Bamba who is instrumental in negotiating additional resources, Larry Brinkin, Cynthia Goldstein, and Brian Cheu for providing staff support and developing the Rules of Procedures.

Dean Goodwin, Special Assistant to Mayor Willie L. Brown, Jr. stated that he serves as the Mayor's representative on the Equal Benefits legislation, and to the Lesbian, Gay, Bisexual and Transgender Community. Mr. Goodwin reported that the Mayor has received numerous calls from all over the United States praising the program. He expressed the Mayor's support for the program and noted that the Mayor approved a supplemental budget appropriation for additional staffing for the Human Rights Commission.

Supervisor Leslie Katz stated that it has been tremendously gratifying for her to see how far the legislation has come. She recognized the support received from the San Francisco Chamber of Commerce, Schools, and a myriad of small and large employers. Her most gratifying calls were from people from all over the country thanking San Francisco for standing up for fairness. She recalls the story of a women, working at a University in the southern part of the country, whose partner was diagnose with terminal cancer. She could not take time off to care for her partner and could not take bereavement leave as well. These are benefits that were offered to married University employees. The legislation is now in San Francisco to offer these types of leaves, offer the perks that other employees receive; perks such as employee discounts, etc. She suggested however, that the Rules of Procedures consider expanding the use of open enrollment period. She suggested that City contractors should be allowed to wait until the next open enrollment process to be in compliance. She thanked the Commission staff for drafting and redrafting the legislation. She stated that once again San Francisco is leading the nation when it comes to treating people in a fair manner.

Supervisor Sue Bierman thanked her colleagues and the HRC Commissioners and staff for setting a historical precedent. She stated that she received a call from a Supervisor from Omaha, Nebraska who is trying to introduce a domestic partners law. He was unsuccessful but he certainly has the support of San Francisco's Board of Supervisors. She stated that what happens in San Francisco sets the tone in the Nation and she is very grateful that she is part of legislation supporting diversity and fairness.

Approach to Implementation

Director Bamba stated that the legislation's Rules of Procedures have gone through intensive and collaborative review. The planning committee set up an action scheme in December of '96 and they are still on target by presenting the Rules of Procedure tonight. She agreed with the Board of Supervisors when they state that the legislation is revolutionary. San Francisco is setting the tone that we do not tolerate discrimination or any kind. It is her belief that the legislation will serve as a model across the country. She called upon Larry Brinkin for his report.

Larry Brinkin, Coordinator for the Lesbian Gay Bisexual Transgender AIDS HIV Unit reported on the implementation activities. He reported that his staff is very pleased to spend the days, evenings and weekends working on the implementation of this historical legislation. He stated that the direction of the HRC Executive Director, the implementation has gone forward in a "business friendly" manner. A planning committee was organized in December, shortly after the legislation was approved, Mayor Brown requested that the HRC hold an informational meeting for all City contractors almost immediately after the approval. The meeting was well attended and the staff was able to listen to concerns from City contractors and learn how the legislation would affect their businesses. The meeting was attended by city contractors, non-profits agencies as well as insurance providers. Workshops were prepared, for small business, City employees, and non-profits organizations and all businesses. In addition, the staff has conducted training seminars for individual City departments. The staff has received numerous calls from City contractors, attorneys, insurance brokers, the media, and people from other cities who wants to approve a similar legislation. The Rules of Procedure have gone through several drafts that were sent out to a list of about 300 people, mostly contractors, who had signed up at the workshops. A database is also being developed so that City employees can look up a contractor and see if it is in compliance with the legislation. An insurance fair is also being organized where City contractors can come and meet with insurance providers. A web site was developed, the ordinance, and other resource materials are posted there. A brochure describing the program is also being developed. A compliance form has been sent out to 1,000 out of 16,000 City contractors the rest to be sent out shortly.

Mr. Brinkin thanked his staff Brian Cheu and in particular Cynthia Goldstein who is doing an incredible job implementing the legislation.

Overview of Rules of Procedure

Cynthia Goldstein, Contract Compliance Officer, reported that the purpose of the Rules of Procedure is to inform City contractors, and City employees as to what is expected with the implementation of the program. The first section of the Rules outlines definitions, and terms used in the legislation. The legislation uses the word "benefit" to mean that not only health insurance but all benefits provided by City contractors are covered by the law; "cash equivalent" describes what a contractor has to pay when it takes all reasonable measurements to comply with the legislation and is unable to provide equal benefits. The committee wanted also to create an outlet of flexibility for those contractors who encounter problems securing equal benefits. The "open enrollment" area is one of the flexibilities. Collective bargaining agreement was also taken into account. The contractor may not have sole authority if there's a Union contract involved. The Committee also took into account that the employer may not be able to secure the same plan for all employees. In this instance the Rules would allow the next best plan to be sufficient. City contractors are also free to provide benefits to other people other than domestic partners or spouses, or they can provide no benefits. The Rules of Procedures also includes waivers, and instructions and suggestions for an internal domestic partner registry. The City also requests that companies that need verification on whether or not a domestic partner is legally registered must also verify whether a marriage is legal.

Mark Klein, from the San Francisco Chamber of Commerce; stated that the San Francisco Chamber of Commerce has a long history of supporting diversity and they support the equal benefits and its implementation. The Chamber of Commerce represents 2,000 large and small companies. Some of these members are at the forefront in of providing equal benefits others need help. Mr. Klein stated that the Chamber participated in different workshops toward the goal of implementing the ordinance. The San Francisco Chamber of Commerce is now operating a new health care plan which includes domestic partners thus facilitating the securing insurance of by their members.

Mark Mosher, Committee on Jobs; Mr. Mosher stated that the Committee on Jobs is a 31-member coalition of San Francisco businesses, collectively representing 10% of the workforce in San Francisco. The Committee on Jobs is working to implement the legislation in large companies. At this time, the number of insurance companies offering benefits inclusive of domestic partners is too small. The new San Francisco law is completely unique and it will require employers to provide benefits across the board. The Chamber of Commerce is extending insurance to domestic partners, Bank of America, a member of the Committee on Jobs has stated its intent to extend the

insurance to its employees. Mr. Mosher submitted a document prepared by human resource experts, and labor law experts. The document questions the time line for implementation. A possibility of a single roll-out of benefit.

James Imbriaco wanted clarification regarding "recruitment" and "recruitment advertisement" when it comes to individuals who are HIV positive. Ms. Goldstein stated that if a business wants to recruit people who are HIV positive, they should advertise in newspapers who service this community and with HIV/AIDS service organizations.

Answering a question from Mr. Imbriaco, Ms. Goldstein stated that the ordinance also applies to contractors who have contracts with the City but do not have a location in the City and County of San Francisco.

Kathleen Chenard, Insurance broker requested clarification regarding a situation where the employee must pay for spousal insurance, asking what would the cash equivalent. Ms. Goldstein stated that the employee would not get a cash equivalent payment, but the company are still required to go through reasonable measures to provide equal benefits.

Doug Brown, a Continental Airlines employee asked if the benefits offered by the Airlines would also be covered under the Equal Benefits Law. Ms. Goldstein stated that the law is specifically geared to include all benefits, such as the airlines' travel benefits. Answering a question from Mr. Brown, Ms. Goldstein stated that the City contract with United Airlines was entered into for less than two years. They originally wanted a 25 year lease with the City.

Answering a question from Commissioner Jaicks, Chair Knutzen stated that the Board of Supervisors exempted subcontractors from complying with the legislation. There is no penalty for a parent company that does not comply with the legislation, the law applies only to a subsidiary who enters into a contract with the City.

Action Item: Approval of letter to the Board of Supervisors encouraging their support of Assembly Bill 1059 which would require insurance providers in California to offer domestic partner benefits.

***Moved (Chey)\Seconded (Jaicks) Unanimously in favor

Respectfully Submitted:

Marivic S. Bamba
Executive Director
By: Maria Cordero

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 24, 1997

4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
German Martinez
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Commission meeting held February 27, 1997, Special meeting held March 3, 1997, and Regular Meeting held March 13, 1997.

3. GENERAL COMMUNICATIONS

4. EXECUTIVE SESSION: Closed session held pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11.

   Conference with Legal Counsel — Existing Litigation

   Coalition for Economic Equity vs. Wilson, No. C-96-4024 TEH

   F.W. Spencer & Son, Inc. vs. City and County of San Francisco, No. C-95-4242 TEH

   Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed session.

4. REPORT OF THE CHAIR

(a) Commissioners Status Report
(b) Commissioner's Strategic Planning Session
(c) Other meetings and Issues

5. REPORT OF THE DIRECTOR

(a) Disparity Study Update - Draft legislation
(b) Airport People Mover Project
(c) Equal Benefits Legislation Update
(d)Approval of Rules of Procedures for the Nondiscrimination in Benefits Amendments to Chapter 12B of the San Francisco Administrative Code.

6. COMMITTEE REPORTS

(a) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner German Martinez, Vice Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) No Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, May 19, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Employment Committee
Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, May 1, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(d) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, May 15, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Commissioner German Martinez, Member
Carmen Smith, Committee Staff

(1) Committee Report.
(2) MBE/WBE/LBE Awards Breakfast Update

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, May 21, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. TASK FORCE REPORTS

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. CALENDAR MATTERS

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, MAY 8, 1997

AGENDA 4/24/97

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission
Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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MINUTES OF THE COMMISSION MEETING OF APRIL 24, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Youn Chey; Shirley Dimapilis; Agar Jaicks; Comer Marshall; German Martinez; Rhonda Rochon; Antonio Salazar-Hobson; Ghada Saliba-Malouf; and Melecio Santos

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Brian Cheu, Maria Cordero, Bayard Fong, Cynthia Goldstein, Don Hesse, Gail Roberts.

Guests:

APPROVAL OF MINUTES

***Moved (Saliba-Malouf)\Seconded (Marshall)\ the minutes of the Regular Meeting of March 3, 1997 and March 13, 1997 were approved.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

EXECUTIVE SESSION

Closed session held pursuant to Brown Act section 54968.9(a) and the Sunshine Ordinance Section 67.11. ***Moved (Salazar-Hobson)\Seconded (Martinez).

The Commission held an executive session and it was unanimously approved not to disclose action taken or discussions held during the closed session pursuant to the Brown Act Section 54957.1 and Sunshine Ordinance Section 67.14.

Commissioner Knutzen moved the order of the agenda to accommodate visitors.

VISITORS

Van Jones, Executive Director of the Bay Area PoliceWatch Project stated that on March 19, 1997 Police Commission meeting he, along with Aaron William's' family were present. He requested that in order to heal wounds and to show a moment of solidarity those present at the meeting observe a minute of silence. While observing the moment of silence, the room filled with off-duty police officers sitting in the back chairs exploited with noise and taunting. He stated that the off-duty police officers were obviously attempting intimidation. The meeting got out of control and the President adjourned the meeting. The off-duty Police Officers continued their taunting and intimidation tactics. Mr. Hauser believes that Police Officers were angry at the month long investigation conducted against Officer Mark Andaya charging him with 12 counts of misconduct.

The Commission heard testimony from Lonnette Robinson, William C. Bowser, Jr. And Michael McLeone regarding Aaron Williams.

Jennifer Rakowski, from CUAV, stated that the Vice President of the Police Officers Association was present at the meeting. The people in the audience were rank and file people changing and intimidating the public. She stated that the Police Officers have a code of conduct and they did not conduct themselves accordingly. They made remarks that the victim was a crack and coke head.

Mr. Jones stated that they came to the Commission requesting that the HRC approve a resolution that city employees misconduct against the general public especially at public meetings will not be tolerated.

Mr. Jones played an audio tape of the Police Commission Meeting of March 19, 1997.

Mr. Jones presented the Commission with Police Officers Association newsletters where there were documents written against Deputy Chief Earl Saunders referring to him as "little Earl". Mr. Jones stated that Earl Saunders is a very tall person, and the article is an attempt to discredit his position of authority. Mr. Jones reiterated that the Police Officers Association tactics of intimidation at the Commission meeting of March 19, 1997 is also an attempt of intimidating the Aaron William's family and show support for Officer Andaya. An officer who, if he was not an officer, would have a very long "rap" sheet, longer that Aaron Williams', Mr. Jones stated. Mr. Andaya's public abuse was proven when he was fired by the Oakland Police Department, and Mr. Jones requested that the Human Rights Commission aide the Aaron Williams' family in their quest for respect.

Commissioner Knutzen requested that a letter be sent out on behalf of the Commission requesting a meeting with Police Chief Fred Lau and President Chris Cunnie to discuss this matter and investigate further. The item was also referred to the Issues Committee to study the newspaper articles and to discuss the police misconduct charges further. Commissioner Knutzen also requested an updated status report at the next Commission meeting.

REPORT OF THE CHAIR

Commissioner Knutzen reported that Commissioner Martinez has been involved with immigrant rights and he hosted a meeting in the Central Valley together with the East Bay and San Francisco activists.

Commissioner Knutzen reported that a meeting with the Executive Director, the San Francisco International Airport Director took place to discuss whether to re-bid the People Movers Project.

REPORT OF THE DIRECTOR

(a) Disparity Study Update

Director Bamba stated that she met with Deputy City Attorneys Mara Rosales and Lori Giorgi to discuss the sub-contracting program. Mara Rosales will introduce legislation reiterating all evidence gathered and requesting an extension to the ordinance for six

months. The study is on target, the legislation will be moved out of Committee and presented to the Board by May 19, 1997. Director Bamba received a request from Supervisor Yee. Supervisor Yee believes that the SFUSD program is working and the HRC's program is not working and requested that the HRC studies it. Deputy City Attorney Mara Rosales stated that she modeled the SFUSD program tailored after the 12D program which is the HRC's program. The SFUSD program however has a lot of small jobs, not the large multi million dollar jobs that the 12D program enforces.

Director Bamba stated that a letter was sent out by the Hispanic Chamber of Commerce requesting anecdotal testimony from Architects and Engineers Hispanic Business owners. The letter however stated that the HRC was taking Hispanics out of the minority classification and there was a confusion.

Director Bamba is working very closely with the consultant regarding the data. At the present time the data is not capturing all white male contractors awards, it does not actually track money paid to those contractors as well as money paid to minority contractors.

Deputy City Attorney Mara Rosales stated that another part of the program is the good faith efforts. At this time the good faith efforts is not enough croson basis to find disparity.

Airport People Movers Contract

Director Bamba reported that she is in constant communication with the Airport Director regarding pre-qualification criteria, scheduling for rebidding. Deputy City Attorney Lori Giorgi is developing some language which may address all avenues.

Equal Benefits

There was a request for a sole source waiver exception. HMS Associates and TRW, which are multi-million dollar projects. Although, the companies are sole source Director Bamba received a commitment that they will work toward achieving the domestic partner equal benefits legislation.

Approval of Rules of Procedures for the Nondiscrimination in Benefits Amendments to Chapter 12B of the San Francisco Administrative Code.

Director Bamba stated that Supervisor Katz requested that the item be continued until she has a chance to review some issues. Larry Brinkin reported that some of the

issues are public entity's exception; exempt contracts; adding protective categories; and adding waivers in case of emergencies.

COMMITTEE REPORTS

(a) MBE/WBE/LBE Advisory Committee

Special presentation from Evan Rose, Planning Department regarding the Union Square Competition.

Mr. Rose reported that Director Gerald Green together with the San Francisco Coalition sponsored a number of civic organizations to submit ideas on how to improve the Union Square Park. At the present time there is an International Design Jury that will interview and select the best design for Union Square. All the participants will be judged by the jury panel, the jury set goals and set out deadlines. The timeline is July 6 and 7th. He has worked closely with the Human Rights Commission in the outreach portion to ensure that the competition is opened to HRC certified and registered firms. These firms will have the opportunity to participate as leads/primes for the project. Mr. Rose stated that the Planning Department is very excited about the project and he will be happy to come back and give an updated report regarding the winners.

Commissioner Marshall thanked Mr. Rose for his presentation and his consideration for the minority and women owned business community. He is also excited that the Planning Department has taken the initiative to reach out to the Minority and Women business community, and he would like to invite Mr. Rose to come back and give the Commission updates.

Employment Committee

Commissioner Rochon requested Frank Anderson to do the Committee report. Mr. Anderson gave the Employment Committee report.

NEXT MEETING

DATE: Thursday, May 8, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

THE COMMISSION WILL MEET ONLY ONCE IN THE MONTHS OF JULY AND AUGUST 1997. IT WILL MEET ON JULY 10, 1997 AND AUGUST 21, 1997.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

HUMAN RIGHTS COMMISSION

May 8, 1997

The Agenda of this meeting is missing.

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Government Information Center

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CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
TDD: (415) 252-2550

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JUN 11 1997

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MINUTES OF THE COMMISSION MEETING OF MAY 8, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Youn Chey; Shirley Dimapilis; Agar Jaicks; Comer Marshall; German Martinez; Rhonda Rochon; Antonio Salazar-Hobson; Ghada Saliba-Malouf; and Melecio Santos

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Brian Cheu, Maria Cordero, Bayard Fong, Cynthia Goldstein, Don Hesse, Gail Roberts.

Guests: Mack Anthony, Entertainment Association; Zachary Brown; Eric Brazil, The Examiner; Annie Chesney; Mary Gulgayle, Epstein, Beckretal; Shari Hays; Connie Hicet; Lawrence Klein, Alternative Family Project; D. Stewart Thompson; and John White, Kaiser Mat'ls.

APPROVAL OF MINUTES

***Moved (Marshall)\Seconded (Saliba-Malouf)\ the minutes of the Regular Meeting of March 13, 1997 with corrections.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

(a) Commissioners Status Report

Commissioner Knutzen congratulated Commissioner Chong. His wife gave birth to a healthy baby girl. She congratulated Commissioner Salazar-Hobson for winning the election in the State Democratic Party. She congratulated Commissioner Jaicks for receiving an award from the State Democratic Party for outstanding service. She announced that Commissioner Martinez submitted his resignation to the Mayor on May 5, 1997. Commissioner Martinez stated that because of his commitments at this time he finds it difficult to serve for the Human Rights Commission. He thanks the other Commissioners for their support and he assured the Commission that he will always advocate for civil rights and be involved in the Commission tasks.

Commissioner Marshall thanked Commissioner Martinez for his service and was saddened that the Commission is loosing a person who serves his community as well Commissioner Marshall. He wished him well. Commissioner Jaicks acknowledge Commissioner Martinez contribution in the Commission and was saddened to lose a bilingual Commissioner.

Commissioner Knutzen acknowledge the tremendous success of the MBE Breakfast Award. She thanked Don Hesse, Zula Jones, Commissioner Dimapilis and the MBE Advisory Committee. Director Bamba thanked Darlene Mar in particular for preparing the presentation awards and the Chocolate Oscars for the winners.

Don Hesse reported that the event raised close to $10,000. The money will enable the HRC to hire or sponsor interns and students to work at the HRC during the Summer. He especially thanked the MBE community who cooperated with the event. There were 20 Corporate Sponsors at $250./each and 50 Executive Friends at $100/each.

Commissioner Knutzen thanked Commissioner Saliba-Malouf for helping the MBE/WBE/LBE Advisory Committee in gathering anecdotal evidence so that the Arab-American businesses will be included in the next MBE Ordinance. Commissioner Saliba-Malouf reported that a hearing was held to listen from the Arab-American business owners. It was very successful. 40+ business owners were in attendance. Mason Tillman and Associates, the consultant for the Disparity Study was present and gathered all documentation. She thanked Zula Jones, Gail Roberts, Jonnie Robinson, and Commissioner Jaicks for their assistance.

Commissioners Strategic Planning Session

Commissioner Knutzen requested the Commissioners to discuss whether or not a second retreat is necessary, please let Maria Cordero know what should be the next step taken.

Ad-Hoc Sub-Committee on the Review of the Director

Commissioner Knutzen stated that a meeting was held to devise goals and objectives for the Director, a second meeting will be held with the Director. The Goals and Objectives will be sent to the Commissioners when they are finalized.

(b) Letter of Inquiry to the San Francisco Police Officer's Association responding to the presentation by the Bay Area Policewatch.

Commissioner Knutzen reported that following up from the last meeting, Don Hesse prepared two letters to be sent to Chris Cunnie, President of the San Francisco Police Officer's Association and Chief Fred Lau asking them to visit the next Commission meeting to respond to some of their allegations. The allegation was that the off-duty Police Officers visited a Police Commission meeting and when the family of Aaron Williams requested a minute of silence they disrupted the meeting to the point that the public did not feel safe, and felt threatened.

Commissioner Saliba-Malouf requested that the letter include that the Commission heard audio tapes of the meetings as well.

***Moved (Marshall)\Seconded (Chey)\Unanimously in favor.

Commissioner Salazar-Hobson reported that the issue will also be heard at the Issues Committee scheduled for Friday, May 9, 1997. The Issues Committee will listen to allegations of racial misconduct and racist articles written in the POA newsletter.

REPORT OF THE DIRECTOR

(a) Approval of Rules of Procedures for the Nondiscrimination in Benefits Amendments to Chapter 12B of the San Francisco Administrative Code.

Director Bamba thanked Larry Brinkin and Cynthia Goldstein for their diligence in handling the Rules of Procedures changes and always being willing to change their schedules to train and accommodate requests. She thanked them for their tremendous job in preparing and handling the public hearing. After their thorough presentation there were hardly any questions left for the audience.

Speakers

Lawrence Klein from the Alternative Family Project stated that he was concerned that the Rules of Procedures allow a year, if the enrollment period has passed, in order for benefits to be effective.

Commissioner Knutzen stated that the City and County of San Francisco is making allowances for the contractors to secure insurance for their employees; however, there is a limit that the City is setting which is two years from the inception of the Ordinance.

The City is not requiring all contractors to secure insurance for domestic partners, only contractors who wish to contract with the City.

***Moved (Saliba-Malouf)\Seconded (Dimapilis)\Unanimously in favor to adopt the Rules of Procedures for the Nondiscrimination in Benefits Amendments to Chapter 12B of the San Francisco Administrative Code.

(b) Approval of Interim Legislation to extend the MBE/WBE/LBE Ordinance

Director Bamba reported that the Interim Legislation was presented to the Board of Supervisors as per resolution approved by the Human Rights Commission. The Board of Supervisors, Health Family and the Environment Committee will be holding hearings regarding the legislation. The members of the Committee had several questions regarding the improvements, tracking certification, and tracking award amounts paid on contracts. Director Bamba stated that the MBE/WBE/LBE Advisory Committee will invite the San Francisco Unified School District at the suggestion of Supervisor Yee to study their program. The Board of Supervisors will hold the first reading of the Ordinance on May 19, 1997.

Answering a question, Director Bamba stated that the Disparity Study is gathering anecdotal evidence from Native Americans and Arab-Americans. There is no need to gather information regarding the disabled business owners since this is required by federal law.

(c) Disparity Study Update

Director Bamba stated that she met with the City Controller regarding the tracking of awards. She stated that the HRC tracks contracts on bid amounts, and it should be tracking data from actual payment amounts on the contract. Total received by contractors. The HRC will institute a new system. The progress reports also reflect only award amounts and not actual payments.

Director Bamba reported that she is also working very closely with the Budget Analyst Office and City Attorney's Rosales and Giorgi to strategize a legally defensive Ordinance.

Director Bamba reported that the Native American statistical testimony is not extensive at this time, the program would have to rely on anecdotal testimony.

Deborah Stewart Thompson stated that the Native American Task Force will be three years old on May 9, 1997. Three years ago, then Supervisor Willie Kennedy formed the Task Force. The Task Force researched the archives in Sacramento and the Federal Registry. The documents are extensive on Native American anecdotal testimony. The Parity/Disparity study could go either way for Native Americans, twenty businesses were present at the hearing for Native Americans. She would like to emphasize that the consultants should explore other issues and ensure equality for Native American business owners.

Director Bamba stated that she will ensure that all anecdotal testimony is included; however, the HRC must be very careful with the current legal scrutiny. The ultimate decision is with the Board of Supervisors.

Zachary RunningWolf Brown stated that he is frustrated when the Native Americans must fight to prove they are minorities, and that they are still receiving zero percentage of the jobs.

***Moved (Marshall)\Seconded(Chey)\Unanimously in favor to approve the Interim Legislation.

COMMITTEE REPORTS

(a) Lesbian Gay Bisexual Transgender Advisory Committee

No Committee Report. Commissioner Knutzen introduced Carol Ackles,

No Committee Report. Commissioner Knutzen introduced Carol Ackles, Administrative support for the Unit.

(b) Issues Committee

No Committee Report.

(1) Resolution in support of Assembly Bill 257 amending state law by including Sexual orientation within the unlawful basis of discrimination in employment and housing.

After a brief presentation by Don Hesse, the Commission voted unanimously to approve the above resolution.

NEXT MEETING

DATE: Thursday, May 22, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MAY 22, 1997

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MAY 19 1997

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4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

Disability Access

The HRC Conference Room is wheelchair accessible. The closest accessible BART station is the Civic Center Station. Accessible MUNI lines serving this location are the 26, 42, and 71 and the Metro station at Van Ness and Market. There is accessible parking in the vicinity of 25 Van Ness Avenue.
The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2-508 (Voice) or 252-2550 (TDD).
In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

   (a) Approval of minutes of Regular Meeting held March 27, 1997 and Hearing held April 10, 1997

3. GENERAL COMMUNICATIONS

4. **EXECUTIVE SESSION**

   Closed session held pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11.

   Conference with Legal Counsel — Existing Litigation
   Air Transport Association of America and Airline Industrial Relations Conference, Inc., vs. City and County of San Francisco, San Francisco Human Rights Commission, San Francisco Airports Commission.

   Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed session.

5. REPORT OF THE CHAIR

(a) Commissioners Status Report

(b) Resolution Commending Jennifer Schuler for introducing and designing a state-of-art internet web-page and communication network for the Human Rights Commission.

6. REPORT FROM THE DIRECTOR

(a) Disparity Study Update

(b) Equal Benefits Legislation Update

7. COMMITTEE REPORTS

(a) Employment Committee

Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, June 5, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(b) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, June 19, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) MBE/WBE/LBE Advisory Committee

Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

(1) Committee Report.

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, June 18, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Issues Committee

Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, June 17, 1997, at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. TASK FORCE REPORTS

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. VISITORS

12. CALENDAR MATTERS

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

13. ADJOURNMENT

NEXT MEETING: THURSDAY, JUNE 12, 1997

AGENDA 5/22/97

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
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MINUTES OF THE COMMISSION MEETING OF MAY 22, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey; Shirley Dimapilis, Agar Jaicks, Comer Marshall, Antonio Salazar-Hobson, and Ghada Saliba-Malouf.

HRC Staff

Present: Marivic Bamba, Executive Director; Frank Anderson, Larry Brinkin, Brian Cheu, Maria Cordero, Bayard Fong, Cynthia Goldstein, Don Hesse, Gail Roberts.

Guests:

APPROVAL OF MINUTES

***Moved (Marshall)\Seconded (Saliba-Malouf)\ the minutes of the Regular Meeting of March 27, 1997.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

ISSUES COMMITTEE

The Issues Committee was moved forward to accommodate Police Chief Fred Lau's report who was in attendance.

Commissioner Knutzen explained that the Commission received testimony from the Bay Area Policewatch and Aaron William's family of inappropriate behavior by Police Officers. Commissioner Knutzen stated that their testimony included information on being intimidated by the Police Officers present, and at the Commission's request, Commissioner Knutzen invited Police Chief Fred Lau and Chris Cunnie, President of the Police Officers Association.

Chief Lau thanked the Commission for the invitation. Chief Lau stated that the issue was referred to the City Attorney's office regarding due process; however, immediately after the event took place he addressed his command, which includes post captains and above ranking personnel regarding the Police Commission meeting. He also met with Chris Cunnie and they agreed that Police Officers are not to conduct themselves as they did in the meeting, their demeaning and decorum will always be under scrutiny because they are Police Officers. It is the Chief's understanding that Mr. Cunnie also address his Executive Board regarding the issue.

Chief Lau stated that he appreciates the Human Rights Commission's involvement on the issue. He is familiar with the agency since youth when working under the Mayor's Office of Youth Employment. If a Police Officer is found to be guilty of misconduct they could be admonished to termination. There are certain standards that Police Officers must abide by at all time, especially at Police Commission meetings.

Answering question from Commissioner Jaicks, Chief Lau stated that it is not fun to be called named or made fun at, but that it is part of the job.

Commissioner Marshall thanked the Chief for attending the meeting. He stated that San Franciscans are very sensible of people and the Police Officers Association newsletter was directly attacking the leadership. Commissioner Marshall stated that this was a direct attack because the leadership is minority. Commissioner Marshall appreciates the changes that the Chief is making at the Police Department.

Commissioner Chong thanked the Chief and stated that although we celebrate diversity is always an underlying institutional racism and we must be vigilant and continue to monitor.

Chief Lau stated that POA members were also upset about the behavior and professionalism of some police officers at the meeting; however, there was a considerable amount of peer pressure.

Answering a question from Commissioner Chey, Chief Lau stated that there is a week long training on diversity. They address issues such as disability, aging, lesbian, gay as well as cultural diversity. He is also recruiting more police officers from diverse communities and encouraging the officers of walking the community to identify the residents of the area.

Commissioner Knutzen offered the HRC's services to assist the chief as an ally in the issue and give voice to concerns of the people as well as relieve the community tension.

Answering question from Commissioner Jaicks, Chief Lau stated that hopefully with the changes he is making the public impression of viewing the Police Officers as oppressors will change. The Mayor mandated the Chief to makes this changes and he is going forward with the mandate. He is also asking to be identified as the Chief of the Community and not the Chief of Police.

REPORT OF THE CHAIR

RESOLUTION COMMENDING JENNIFER SCHULER FOR INTRODUCING AND DESIGNING A STATE OF THE ART INTERNET WEB-PAGE AND COMMUNITION NETWORK FOR THE HUMAN RIGHTS COMMISSION

***Moved (Marshall)\Seconded (Chey)\Unanimously in favor to present Ms. Schuler with the resolution.

REPORT FROM THE DIRECTOR

Disparity Study Update

Director Bamba introduced Mr. Ed Norton, Mason Tillman Associates lawyer who has been involved with the Disparity Study. Mr. Norton gave a brief overview regarding the

six-month extension of the ordinance. He stated that the first reading of the ordinance is completed, the second reading is in a week. He submitted a copy of the scheduled to be followed. He is working very closely with Dr. Eleanor Ramsey to study the sub-contracting data. The data must be accurate since the third circuit court would scrutinize the data on whether or not it shows disparity. HE is also working regarding the issue of Proposition 209. The San Francisco study is a particular challenge because it is to remedy and identify discrimination. The particular challenge and they may have difficulty in statistical analysis of Arab-American and Native American business owners. There is better anecdotal information which is the history and what circumstances are faced in San Francisco. There is also a statistical measure being used the "but for" test. The "but for" test is being used by the Department of Commerce.

Director Bamba stated that the disparity study is not operating on a full budget. The timeline scheduled is under the assumption of whether the budget is approved.

Budget Update

Director Bamba reported that she received verbal notice that the new initiatives position were approved. Eleven positions were approved which will allow the HRC to generate operational achievements and hire new people.

COMMITTEE REPORTS

Employment Committee

Frank Anderson reported that Director Bamba Director met with the Chair and Vice-Chair of the Employment Committee. Commissioners Rochon and Chey.

Commissioner Chey reported that the Employment Unit has addressed 40 projects and a total of $300 million dollars. This is only ¼ of the total contracts that should be monitored. The Unit is not really managing the workload and there is a need of improving the situation.

Frank Anderson reported that he has been involved in the Sweatshop monitoring. They are instituting a labeling process for clothing which was prepared at sweatshop free environment. The sweatshop free environment is one that meets the minimum standards of health and safety.

Mr. Anderson attended a job fair which was given by Goodwill targeting homeless people, people on welfare and people on transition between jobs.

Mr. Anderson requested Ed Campos to do a presentation on the overall contracts monitored.

Mr. Campos stated that he monitored over 40 contracts, within these contracts are complaints of discrimination, 4 complaints of racial discrimination, racial slurs, retaliation and prevailing wage complaints. At the present time he is preparing himself to monitor a $14.4 million dollar communication project.

EXECUTIVE SESSION

Closed session held pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11.

Conference with Legal Counsel - Existing Litigation

Airport Transport Association of America and Airline Industrial Relations Conference, Inc., vs. City and County of San Francisco, San Francisco Human Rights Commission, San Francisco Airports Commission.

Discussion and vote pursuant to Brown Act section 54951.1 and Sunshine Ordinance section 67.14 NOT to disclose action taken or discussions held in closed session.

***Moved (Saliba-Malouf)\Seconded (Jaicks)\Unanimously in favor.

Continue Committee Reports

MBE/WBE/LBE Advisory Committee

Commissioner Marshall reported that the Committee heard a presentation from the San Francisco Unified School District's contracting program. It also study the comparable costs of the disparity studies in the country. The Committee heard a presentation from Kevin Williams and Ed Lee, Director of Purchasing regarding the CRA-Community Reinvestment Act. The program is seeking to reestablish a lending mechanism for minority and women owned businesses and generating employment opportunities. The Committee is also looking at making significant changes on the Schedule A-Certification Application. It is also studying the 6 month residence requirement in order to be certified.

The New Giants Ballpark jurisdiction is also an issue. The City Attorney's office informed the HRC it does not have jurisdiction since the ordinance does not allow for leases and concessions; however, Doug Wong, Port Director has voluntarily adopted the rules and procedures of the 12D Ordinance. Deputy City Attorney Lori Giorgi stated that Director Bamba and Director Wong are working closely on the project to ensure opportunities to minority and women owned businesses.

Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Knutzen reported that the Committee met last night and she would only at this time advise the Commission that there is a very controversial issue that will come to the Commission at the next meeting. The Committee was also split on the decision and it voted 7 to 10 to approve the sending of the item to the Commission; she does not support the issue and she will not chair the portion of the discussion, but she will vote on the issue.

Director Bamba stated that Larry Brinkin will do a historical report on the background and the perspective of the sex clubs.

NEW BUSINESS

Commissioner Frank Chong presented the Commissioners with an article titled "Asians, Blacks and Intolerance". He stated that he would like the HRC to review the article and decide whether or not it should be responded to. The article also mentions Supervisor Teng.

NEXT MEETING

DATE: Thursday, June 12, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

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All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

THE COMMISSION WILL MEET ONLY ONCE IN THE MONTHS OF JULY AND AUGUST. IT WILL MEET ON JULY 10, 1997 AND AUGUST 21, 1997.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

HRC AGENDA
MEETING OF JUNE 12, 1997
PAGE 1

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JUN 10 1997

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REGULAR MEETING

REVISED 6/9/97

THURSDAY, JUNE 12, 1997
4:30 P.M.

25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CALIFORNIA 94102

Disability Access

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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha ShinChey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

REVISED - AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES

(a) Approval of minutes of Commission Hearing April 10, 1997; Commission Meeting of April 24, 1997; Commission Meeting of May 8, 1997; and Commission Meeting of May 22, 1997.

3. GENERAL COMMUNICATIONS

4. REPORT OF THE CHAIR

(a) Commissioners Status Report
(b) Presentation from Deputy Chief Earl Saunders regarding Police Department Programs.

5. REPORT OF THE DIRECTOR

(a) Disparity Study Update
(b) Budget Update
(c) Rules and Regulations Update - Predetermination process.
Action: Approval of pre-bid certification process to be incorporated into 12D Rules and Regulations
(d) Bonding Program Preliminary Report

6. COMMITTEE REPORTS

(a) Lesbian Gay BisexualTransgender Advisory Committee
Commissioner MarthaKnutzen, Chair
Commissioner AgarJaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Approval of Letter to the Department of Public Health expressing support for their efforts to prevent HIV transmission, while expressing concerns for Civil Liberties Protections.

(2) Acceptance of Report of Public Hearing regarding Lesbian Gay Bisexual Transgender Youth, and adoption of revised Findings and Recommendations.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, June 17, 1997, 5:30 p.m at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Employment Committee
CommissionerRhonda Rochon, Chair
CommissionerYoun-Cha ShinChey, Vice Chair
Frank Anderson, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 7, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102. There is no meeting in July.*

(c) Youth and Education Committee
CommissionerGhada N. Saliba-Malouf, Chair
CommissionerMelecio Santos, Vice Chair
Commissioner AgarJaicks, Member
Brian Cheu, Committee Staff

(1) Committee Report.

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, July 17, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

(1) No Committee Report.

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, July 16, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Committee Report.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. UNFINISHED BUSINESS

9 VISITORS

10. NEW BUSINESS

11. CALENDAR MATTERS

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, JUNE 26, 1997

THE COMMISSION WILL MEET ONCE IN THE MONTHS OF JULY AND AUGUST. THE MEETINGS WILL BE ON THURSDAY, JULY 10, 1997 AND THURSDAY, AUGUST 21, 1997

AGENDA 6/12/97

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

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MINUTES OF THE COMMISSION MEETING OF JUNE 12, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:40 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Shirley Dimapilis, Agar Jaicks, Comer Marshall, Ghada Saliba-Malouf and Melecio Santos.

Excused: Youn Chey; Rhonda Rochon, and Antonio Salazar-Hobson.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Frank Anderson, Ed Campos, Brian Cheu, Maria Cordero, Zula Jones, Cynthia Goldstein, Don Hesse, and Gail Roberts.

Guests:

Marcus Arana, CUAV; Gil Criswell, CUSP; Reid Condit; CUSP; John DiDonna; Quang Dang, LGBTAC; Ray Delgado, The Examiner; James Green, FTM International; Liz Highleymn, BAR; Camile Moran; Shadow Morton, LGBTAC; Scott O'Hara; Jenifer Rakowski, CUAV; Valerie Tobin, LGBTAC.

APPROVAL OF MINUTES

***Moved (Marshall)\Seconded (Dimapilis)\ the minutes of the Commission Hearing of April 10, 1997; Commission Meeting of April 24, 1997; Commission Meeting of May 8, 1997 and Commission Meeting of May 22, 1997 with the following addition were unanimously approved:

Add on page 6 of the Minutes of Regular Meeting held May 22, 1997 after the first sentence: "Commissioner Jaicks requested that the issue of access roads, pavements, sidewalks, etc. for the new Giants Ballpark, under the contracting authority of the Department of Public Works be investigated to see if the HRC has jurisdiction over these contracts. If the HRC has jurisdiction to monitor these contracts, then the HRC should ensure compliance with the local hiring and other laws as appropriate".

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Presentation from Deputy Chief Earl Saunders regarding Police Department Programs

Commissioner Knutzen introduced the issue to Chief Saunders and thanked him for being present at the meeting. She stated that the Commission was concerned regarding the POA newsletter and the discipline problem of police officers attending a Police Commission meeting.

Chief Suanders stated that he has been with the force for 33 years, 25 of those years under homicide. He was named Assistant Chief of Police by Chief Lau and immediately began a reform process. The Police Department is operating under a new philosophy, teaching good discipline by example. He stated that under the new leadership, new training and new discipline the San Francisco Police Department is at the cutting edge of improving the public perception.

Chief Saunders stated that the officers attending the Police Commission meeting had an outburst of very poor attitude of discipline and he will ensure that it will not happen again.

Chief Saunders stated that the Department is working closely with the Office of Citizen's Complaints and Community Based Organizations (CBO's) to set up community programs with community groups and study how the public can view the police department as their "mentors" rather than "tormentors".

Chief Lau, Chief Saunders stated is also going through selecting Police Captains very careful and instituting community policing. CBO's are instrumental in the program making the community safer by way of a joint partnership. He stated that positive changes are already happening.

Answering a question from Commissioner Jaicks, Chief Saunders stated that 33 years ago bigotry in the Police Deparment was blatant. At the present time, the Police Department has promoted minority males to the high ranks of Captain and, recently, the first woman deputy chief was named.

Commissioner Marshall thanked Deputy Chief Saunders for his presentation and his leadership skills and commended Chief Lau for taking a strong stand against disciplinary issues within the Department.

REPORT FROM THE DIRECTOR

Disparity Study Update

Director Bamba reported that the supplemental appropriation to continue the Disparity Study was approved by the Board of Supervisors. She presented the Commission with a time schedule and a program schematic for the Disparity Study presented by Mason Tillman and Associates.

Budget Update

Director Bamba distributed information disseminated by the Mayor regarding the 97/98 HRC Budget.

Rules and Regulations Update

Action: Approval of Pre-bid certification process to be incorporated into 12D Rules and Regulations.
Deputy City Attorney Lori Giorgi reported that several meetings between the HRC and the San Francisco Airport negotiated a process in which the HRC will expedite MBE/WBE Certification process for pre-bid purposes. The proposed amendment must be approved by the Commission for inclusion on the 12D ordinance.

***Moved (Dimapilis)\Seconded (Chong)Unanimously in favor to approve the Amendments to the Human Rights Commission's 12D Rules and Regulations as outlined below:

VIII. PRE-BID EXPEDITED MBE/WBE CERTIFICATION PROCESS

A. All potential bidders and plan holders may request a copy of a list of currently certified MBE/WBE subcontractors that are verified by the HRC as eligible for the MBE/WBE subcontractor participation credit within the firm's area of expertise and licensing. However, bidders that wish to select an MBE/WBE subcontractor that is **not** on the list can have the MBE/WBE firm request certifications by filing an application with the HRC no later than four weeks prior to the submission of bids.

B. If the application is being submitted on an expedited basis, so that the subcontractor can be certified prior to bid submission on a specific contract, the applicant should indicate this fact on the front of the application with a reference to the contract and the date for submission of bid.

C. Applicants should submit their application packet, including any required documentation, to the Human Rights Commission 25 Van Ness Ave., Suite 800, San Francisco, CA 94102. **APPLICANTS MUST SUBMIT THEIR APPLICATIONS NO LATER THAN FOUR WEEKS PRIOR TO THE GUARANTEE A TIMELY DECISION ON APPLICATIONS FILED AFTER THE FILING DEADLINE PROVIDED ABOVE.**

D. In order to be processed in a timely manner, applications must include a copy of all the appropriate documents based upon the ownership they are claiming as set forth in the checklist referred to in Schedule A, page 2.

E. **THE HRC WILL NOT CONSIDER OR PROCESS INCOMPLETE APPLICATION PACKETS.**

F. Within ten working days following the submission of the application, the HRC will notify the applicant firms of their determination on whether or not the firm will be certified as an MBE/WBE. The HRC will base its upon San Francisco Administrative Code 12(d).6(B)1 and the Human Rights Commission's Rules and Regulations on the MBE/WBE/LBE Utilization Ordinance.

G. An applicant may appeal a denial of certification to the Director of the Human Rights Commission. Applicant must file their appeal within five days receipt of the decision. If the appeal is filed on an expedited application, the applicant should note this in the request for an appeal, including the contract and date for the submission of bids.

H. Applicants appealing an adverse determination should submit a letter to the Director of the Human Rights Commission, Marivic Bamba, 25 Van Ness Ave., Suite 800, San Francisco, CA 94102, requesting the appeal, why the firm's believes the decision was in error, and enclose any additional information or documents to support the firms challenge to the decision.

I. **THE HRC DIRECTOR CANNOT GUARANTEE A TIMELY DECISION ON APPEALS SUBMITTED AFTER THE FILING DEADLINE PROVIDED ABOVE.**

J. The Director may, in her discretion, ask to meet with the applicant firm prior to issuing a decision on the appeal.

K. The Director of the HRC shall issue a final decision on the expedited certification appeal within seven business days following the submission of an expedited appeal.

H. Firms that the HRC certifies in the above manner will be eligible for subcontractor credit for work which they are licensed and eligible to perform under the bid specifications and applicable law.

Bonding Program Preliminary Report

Director Bamba presented an outline of the Human Rights Comission City and County of San Francisco Surety Bonding Program. She stated that the program goal is to assist minority, women, and small contractors (M/W/SBEs) in obtaining bonding and financiing for the City and County of San Francisco construction projects.

Director Bamba reported that as of July 1, 1997 the HRC will be in charge of the Bonding Program and is using a program tailored after the Airport program,. She stated that Jonnie

Robinson of the Mayor's Office will do a presentation to the MBE/WBE/LBE Advisory Committee at a later date regarding this program.

Director Bamba reported that she is scheduled to hold a meeting with Supervisor Leal regarding the Bonding Assistance Program.

COMMITTEE REPORTS

Lesbian Gay Bisexual Transgender Advisory Committee

(1) Approval of Report of Public Hearing regarding Lesbian Gay Bisexual Transgender Youth, and adoption of revised Findings and Recommendations.

Commissioner Knutzen reported that the HRC conducted a hearing and previously approved the Findings and Recommendations; however, there were some changes and additions to the recommendations and this is the reason it is before the Commission for approval.

Quang Dang reported that findings #63. #64, and #69 were changed as well as findings #19 and 34 were changed. The changes were outlined to specific referred to GID(Gender Identity Disorder).

Camille, member of the Transgender Community stated that transgender youths are among the highest to commit suicide. These children are powerless and they need the support.

John Lemo reported that he worked in changing the psychiatric association in 1972 regarding GID. He tried to work with suicide prevention institute in Boston in their studies. Their study found that it is between 1/3 and ¼ of all suicides that are probably gay youths.

Marcus Arana, CUAV Speakers Coordinator thanked the Commission for the investigative report submitted and acknowledge that because of the report the San Francisco Unified School District approved a resolution to provide services to queer youths in San Francisco Schools.

Larry Brinkin acknowledged the tremendous work of the Youth Task Force headed by Brian Chue for the report.

***Moved (Chong)\Seconded (Dimapilis)\Unanimously in favor for the changes.

Approval of Letter to the Department of Public Health expressing support for their efforts to prevent HIV transmission, while expressing concerns for Civil Liberties Protections

Commissioner Knutzen reported that the Committee had a very emotional discussion and presentations regarding this issue. The Committee had a split vote approving the letter to be sent to the Commission. She stated that people present will provide background information and a historical perspective for the Commission. Commissioner Knutzen reported that the LGBTAC members will speak first, the members of organizations will follow and Dr. Hernandez, Director of the Department of Public Health will also speak.

Shadow Morton, LGBTAC Committee member, stated that this issue was a very difficult process for the committee to undertake. The Committee has always voted as consensus and this is the first time that the committee split. He believes that the issue is a civil liberty issue. He is in favor of requesting the Department of Public Health not to enforce the law. This issue is not about gay people, but DPH is targeting the gay community. The establishment [City government] should not regulate and make restrictions on the gay community.

William Bland stated that the LGBTAC is a body of people who represent the diverse views of the Lesbian Gay Bisexual Transgender community. He encouraged the Commission to study the issue and come up with recommendations. He stated that he studied the issue of bath houses in public places, and is also very familiar with HIV prevention and education. HIV prevention should be a part of what the community wants and behavior modification is what is required, not to regulate bath houses. He stated that bath houses does not promote HIV but rather unsafe behavior does.

Jonathan Klein, Chairman of the Steering Committee of Community United for Sexual Privacy, stated that in 1984, the HRC voted to oppose the closing of bath houses. In 1987 the last bath house was closed. At this time, DPH is banning private rooms and monitoring of patrons behaviors. He stated that the burden of proof is on DPH to prove that bath houses promote HIV and HIV infection. Mr. Klein stated that there is no such evidence. He stated that bath houses may prevent infection by providing a private room. He urged the Commission to vote in favor of the letter.

Gilbert Criswell from Community United for Sexual Privacy (CUSP), stated that Commissioners appointed to the HRC have the duty to approve their own advisory committee's recommendation as well as upheld the civil rights of individuals.

Dean Goodwin stated that he serves as Mayor Brown's liaison to the Lesbian Gay Bisexual and Transgender Community. He stated that the issue being discussed tonight is a very difficult one. Mayor Brown support the DPH regulations because he shares the view of Dr. Hernandez and the Department of Public Health that is foremost an issue of public health. The City has an obligation to protect the health and well-being of its citizens. If the city is to support these Sex Clubs as businesses, then the city has the duty and obligation to protect the health and livelihood of their patrons. Just as the city establishes regulations to protect the health and safety of patrons of restaurants, Mr. Goodwin stated. Mr. Goodwin stated that the issue of civil rights is strong, Mayor Brown's record of decriminalizing private sex has been recognized by Lesbian and Gay rights groups across the country, but his commitment to stopping the spread of HIV is just as strong, and support the regulations.

Dr. Sandra Hernandez, Director of the Department of Public Health. Dr. Hernandez stated that she appreciated the testimony provided tonight. She attended the Advisory Committee where she heard very emotional testimony regarding the bathhouses. She stated that the Department and the Community Advisory Groups that worked with DPH to develop the rules and regulations had an uphill struggle, just as the members of the Advisory Committee were struggling. She believes, by discussion held with CUSP and other representatives, that it does make sense for the DPH and the HRC to sponsor a hearing regarding these rules and regulations. The DPH does not take the civil rights issues lightly. The regulation of bath houses have been in place for many years, and she agrees that they may need to be studied and revised. However, the regulations were devised in conjunction with many DPH's committees and the Department. Dr. Hernandez stated that she personally feels that bath houses was a good place for HIV education and prevention, and DPH is not monitoring, the regulations call for the business owner to monitor their bath house. DPH does not monitor individual businesses. She stated that the issue of HIV transmission is a very difficult one, but the city has a zero tolerance for HIV transmission, proven or not. Although, the bath houses are not proven to promote HIV, it may have a cause and effect issue. San Francisco is a high risk city of exposure or transmission of HIV and DPH is doing everything possible to prevent infection. DPH's responsibility is public health and they are trying to balance equality and rights of all individuals while promoting safe sex.

Commissioner Jaicks stated that he believes that the rules and regulations impose unsafe sex when the sex clubs are closed or monitored. He stated that if people can't practice safe sex in private sex clubs they may go somewhere else where they can't practice safe sex. Dr. Hernandez stated that if educated they will practice safe sex anywhere. Commissioner Jaicks stated that he is in favor of DPH and HRC holding

community based quorum to discuss the issue of bath houses.

Answering a question from the public, Dr. Hernandez stated that massage parlors are regulated by law and sexual activities is prohibited. DPH, if they receive a complaint against a massage parlor, they will investigated it. The Sex Clubs are not regulated by law, and the regulations were devised for this reason.

Answering a question from Commissioner Jaicks, Dr. Hernandez requested Dr. Katz to answer the question. Dr. Katz stated that the massage parlors are regulated by the Police with long sets of regulations prohibiting any sexual activities. Hot tub places have a set of regulations that assume that there are no sexual activities happening, just as not regulating the hotel and motel industries about sexual activities happening in their rooms. The regulations only apply for for-profit businesses that are operating for the purposes of having sex.

Bill Hershon, introduced himself as an HIV positive person for over fifteen years and a person who has lost many friends to the disease and a college teacher. Mr. Hershon stated that if there were not such thing as HIV he would fight not to regulate bath houses. However, he agrees with the Supreme Court that a person should not yell "fire" in a crowded place and similarly believes that in a public health issue the bath houses should be regulated.

Richard Carrazza strongly urged the Commission to support the recommendation of the LGBTAC. He believes that sex is a private issue and the government should not regulate private consensual sex.

John Maybauer has been involved in New York and in California promoting civil rights for lesbian and gays individuals. The DPH does not have a good history for regulating and preventing social diseases.

Jennifer Rakowski, CUAV, spoke on behalf of civil liberties. She stated that public health is not as simple as one issue. People choose a private sex club to express their sexual preference, and is a meeting space accepting homosexuality.

Stephen Murray stated that civil liberties are being denied to gay people using the public health excuse. He stated that once again the community is being targeted. He stated that voluntary guidelines became de-facto law and he is against the regulations.

Commissioner Knutzen reported that she appreciated the discussions of the committee, it was a very heartfelt and honest discussions. She respects each voice of the

committee for and against. She believes that during the HIV epidemic it is the responsibility of government to protect the individuals from transmission. She thanked Dr. Hernandez for the set of guidelines and recognized that DPH worked with the coalition for health sex, club owners, and safe sex educators as well as community based organizations. She recognized that the guidelines were endorsed by the AIDS Foundation, UCSF AIDS Project, Dana Van Gorder the LGBTAC AIDS/Health Office and union sex clubs. She cannot ask the Department of Public Health to change its guidelines in regards to Sex Clubs.

Commissioner Jaicks stated that he voted for approving the letter. He is for the regulations and the education but believes that chasing people away on the privacy issue they may go where they do not receive education to practice safe sex.

***Moved (Knutzen)\Seconded (Jaicks)\five votes opposing (Chong, Dimapilis, Knutzen, Marshall, and Saliba-Malouf) - one vote in favor (Jaicks). The letter failed to pass.

Employment Committee

Frank Anderson reported that the summer youth program is in beginning next week. He supplied the Commission with a packet regarding the sweatshop watch and the jobs program of education and program. He reported that the Employment Committee had a discussion regarding the school bonds. The approval of bonds will result in contracts and ultimately employment opportunities for San Franciscans. The Committee viewed a videotape regarding San Francisco. The Elevator workers task force will have a report at the next meeting.

Ed Campos reported on 911 Project. He stated that Mayor Brown set this project as a high priority.

Issues Committee

Don Hesse reported that the President of the Police Officers Association (POA), Chris Cunnie was requested to attend the meeting and he refused. The Committee then voted to issue a subpoena; however, Deputy City Attorney Lori Giorgi discussed the issue with the POA and Mr. Cunnie agreed to attend the meeting.

NEXT MEETING

DATE: Thursday, July 10, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 8:00 p.m. by Commission Chair Knutzen.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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REGULAR MEETING
THURSDAY, JUNE 26, 1997

4:30 P.M.
25 VAN NESS AVENUE
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The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2508 (Voice) or 252-2550 (TDD).
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Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meeting of June 12, 1997

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Reports on their activities in the Community.
   b. Report on Performance Evaluation Procedures for the Executive Director
   c. Report from Deputy City Attorney Lori Giorgi on procedures to be followed regarding the Hamilton Family Center appeal

6. REPORT OF THE DIRECTOR
   a. Update on Disparity Study re: MBE/WBE Ordinance
   b. Update on HRC 97/98 Budget Process
   c. Report on Provision of Services to the Housing Authority/HUD

7. COMMITTEE REPORTS

   (a) Employment Committee
   Commissioner Rhonda Rochon, Chair
   Commissioner Youn-Cha Shin Chey, Vice Chair
   Frank Anderson, Committee Staff

(1) There is no Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 7, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102. <u>There is no meeting in July.</u>*

(b) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, July 17, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) MBE/WBE/LBE Advisory Committee

Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

(1) Report on the activities of the Committee

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, July 16, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

(d) Issues Committee

Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Report on the activities of the Committee

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Report on the activities of the Committee

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, July 15, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. UNFINISHED BUSINESS
There are no items of unfinished business

9. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

10. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY
All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

11. ADJOURNMENT

NEXT MEETING: THURSDAY, JULY 10, 1997

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

HUMAN RIGHTS COMMISSION
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MINUTES OF THE COMMISSION MEETING OF THURSDAY, JUNE 26,1997.

Commission Chair Martha Knutzen called the meeting to order at 4:43 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks, Comer Marshall, Rhonda Rochon, Antonio Salazar-Hobson, Ghada Saliba-Malouf and Mel Santos.

Excused: Frank Chong.

HRC Staff

Present: Marivic Bamba, Executive Director; Brian Cheu, Maria Cordero, Don Hesse, and Zula Jones.

Visitors:

Reid Condit; Rink Folo; John Maybauer; Stephen Murray; Anthony P. Murray; and Jonnie Robinson, Mayor's Office.

APPROVAL OF MINUTES

***Moved (Marshall)\Seconded (Dimapilis)\the minutes of the Commission Meeting of June 12, 1997 were unanimously approved with the following corrections:

Page 2, under "Report of the Chair" first paragraph, third sentence change "newsletter" to "Newspaper". Page 8, last paragraph, second sentence replace with: "He stated that people can't practice safe sex in private sex clubs they may go somewhere else where

instructions or necessary materials are not available and there may not be practicing safe sex."

PUBLIC COMMENT

Stephen Murray criticized Commissioner Knutzen stating that she was not part of the community and that she should respect other people's choices. He stated that he remembered when Mayor Brown fought to decriminalized gay sex. Mr. Murray feels that at this time Mayor Brown made his own legislation meaningless, avoided the real issue which was civil rights and "went along with the rest" when accepting to monitor and regulate the sex clubs.

Reid Condit stated that he has lived in San Francisco for the past 30 years. He believes that San Francisco is a beacon in defending human rights. He has been involved in many community agencies, including the BAGL (Bay Area Gay Liberation) which he was instrumental in forming. However, he feels that the decision that the HRC took against sending the letter to the Department of Public Health and therefore condoning their censorship is a step backwards.

John Maybauer gave a historical recap regarding human rights, the phrase of human rights and gay involvement in human rights. He stated that a gay couple formulated the phrase and gays also started the first Human Rights Foundation in New York City and yet, Mr. Maybauer said Gays are not represented in the United Nations.

REPORT OF THE CHAIR

a. Individual Commissioners Reports on their activities in the Community.

Commissioner Marshall reported on a meeting between the NAACP, HRC staff and the Airport staff regarding the airlines hiring of African American workers. Supervisor Brown is looking into holding a hearing in the community to discuss the hiring possibilities.

Commissioner Dimapilis reported on an outreach meeting held by the FAFSE, a Filipino architects outreach meeting, Harlan Kelley and Director Ed Lee participated.

Commissioner Jaicks stated his concerns regarding a merger between Stanford University and the University of California in San Francisco as an attempt to break the Union.

b. Report on Performance Evaluation Procedures for the Executive Director

Commissioner Knutzen requested that the Commissioners review the packet sent to them regarding the performance evaluation forms and memorandum of goals and objectives to evaluate the Executive Director. Commissioner Knutzen explained that

items listed on the goals and objectives would not be met and cannot be met until the end of the fiscal year; however, she wanted to begin the process of having procedures and establishing goals. She requested that the Commissioners submit their evaluation report to her by July 12, 1997. At the meeting of August 28, 1997 there will be a discussion, in closed session, pertaining to the Director's Performance Evaluation.

c. Report from Deputy City Attorney Lori Giorgi on procedures to be followed regarding the Hamilton Family Center Appeal.

Deputy City Attorney Giorgi requested Don Hesse to make a background report. Mr. Hesse reported that the Hamilton Family Shelter is a non-profit organization funded by the Department of Social Services. The complaint was filed by employees of the center and the Human Rights Commission ruled against the Shelter.

Deputy City Attorney Giorgi reported that Chapter 12B provides the remedy to appeal to the Commission itself. The rules for Chapter 12B calls for an arbitrator to conduct the investigation from both sides and provide a report to the Commission. The Commission then has 10 days to hold a hearing and adopt or reject the report from the arbitrator. At the time of the hearing, the Commission may hear from both parties but they are not allowed to present new evidence. The parties are then notified of the decision in writing. Ms. Giorgi will be working with the staff regarding the procedures to follow. She advised the Commissioners that if anyone receives materials from either party that they forward these materials to Maria Cordero.

REPORT OF THE DIRECTOR

a. Update on Disparity Study re: MBE/WBE Ordinance

Director Bamba distributed copies of the Disparity Study Progress Report No.1, copies of the work plan and a list of interviews conducted from the consultant. She reported that Commissioner Marshall, members of the MBE/WBE/LBE Committee, members of the Disparity Study Project Team which includes the City Attorney's Office are meeting to discuss the methadological concerns that the consultant has regarding determination of ready, willing and able businesses. Also, determining whether or not to include businesses that are outside of San Francisco and were not able to acquire contracts was another concern. At this meeting, the consultant, distributed a survey and requested that they complete the form and submit back to them. The consultant has not received any of the forms back at this time.

Deputy City Attorney Lori Giorgi reported that testimony served by Minority and Women owned businesses where they allege discrimination by contractors, should not verified because minority and women owned business owners are taking the risk of being retaliated against by prime contractors.

Director Bamba reported that the Mayor requested an outreach meeting for all minority/women owned business owners on a Saturday. The meeting will take place in the middle of July, 1997. It will be held in Herbst Theater at 401 Van Ness, the date to be determined.

b. Update on HRC 97/98 Budget Process

Director Bamba reported that she appeared before the Board of Supervisors Finance Committee and she did a presentation regarding the different mandates of the HRC, such as 121B, 12C, 12D, Article 33 and 38 of the Police Code. The Supervisors did not have many questions and the budget was approved as presented. There will be a public hearing on Saturday, June 28, 1997 and the budget will then be presented to the full Board for approval.

c. Report on Provision of Services to the Housing Authority/HUD

Director Bamba reported that she is working in conjunction with Director Ronnie Davis of the San Francisco Housing Authority in addressing issues of compliance with Section 3, Local Hiring and Public Housing. She has come to an arrangement of an Memorandum of Understanding for providing services.

Director Bamba reported that working with Director Davis, she met with representatives of HUD/San Francisco, HUD/Washington and Don Hesse to discuss the issue at the public housing and hate phone calls. She requested Don Hesse to report on the history of the issue.

Mr. Hesse reported that several years ago, the Asian Law Caucus brought up a lawsuit against the Housing Authority stating discriminatory practices in placing public housing residents. They content that everyone placed at the Alice Griffith public housing was African American, everyone placed at the Chinatown public housing was Asian. They won the lawsuit and part of their settlement agreement is that the Human Rights Commission would hold a hearing and produce findings and recommendations. In April of 95, the HRC produced findings and recommendations regarding the issue. Because of administrative changes at the Housing Authority, nothing was done to implement the recommendations. If these recommendations were implemented, Mr. Hesse believes that racial tensions at the public housing would have minimal. However, HUD/Washington also reported that they received the report and they had not done anything with the recommendations. At this time, the HRC is prepared to aid Executive Director Ronnie Davis from the Housing Authority and provide staff assistance to implement the recommendations.

Speakers

Charlie Walker stated that he has never been a resident of public housing; however, he knows that the San Francisco Housing Authority(SFTA) created a place of hostility

when they fenced and closed the Geneva Towers. He believes that SFTA reacts when there are complaints of one resident, the media responds, and everyone else reacts and when there are things happening to African American resident of public housing as it happened at Geneva Towers, nobody cares.

Al Norman stated that SFTA's poor management, staff without sensitivity training adds to the pressure and racial tensions in public housing. He expects that the SFTA staff is now being trained to have a clear understanding of the residents culture. The manager of the Alice Griffith public housing did not have sensitivity training dealing with all the races. He hopes this will all change now.

US Conference of Mayors

Director Bamba reported that department heads were invited to attend different events during the US Conference of Mayors. She was able to get information from other Mayor's on how they are dealing with issues such as Welfare Reform in their city. It was a great event and she congratulated Ms. Swig for coordinating the event.

COMMITTEE REPORTS

Youth and Education Committee

Commissioner Saliba-Malouf stated that she attended the Youth Empowerment conference put together by the Youth Commission. It was a very successful event and there were over ten different workshops offered. It was culminated by a very successful dance.

Brian Cheu reported that at the last Committee meeting the members discussed issues they should address in the coming year. After they came up with fifty different recommendations they were grouped into ten different categories, these are:

1)Violence	2)Diversity	3)Education
4)Housing	5)Youth Empowerment	6)Youth Rights
7)Community Resources	8) Health	9) Juvenile Justice
10) Aspects of Public Policy		

The Committee is also in the process of hiring a consultant to draft the report on violence in the schools. There are presently three proposals submitted and are expecting one more. The review will be done by the Chair and ViceChair of the Committee.

The Committee also heard a presentation from parents from Edison Middle School and racial tensions that exists there. The meeting was held predominantly in Spanish and members of the Committee translated.

Commissioner Saliba-Malouf complemented the members of the Committee as being committed and very energetic.

Commissioner Jaicks complemented the staff for holding the meeting in Spanish and giving accessibility to the parents.

MBE/WBE/LBE Advisory Committee

Commissioner Marshall reported that the Committee met on June 18, 1997 and heard a presentation from Director Lee and Contract Compliance Officer Kevin Williams regarding the Community Municipal Reinvestment Program. The program is devising rules and procedures following federal guidelines. The program will monitor banks in the area to ensure that they are providing opportunities to minority and women owned businesses. The Board of Supervisors will need to approve legislation in order to ensure enforcement of these rules. A subcommittee is involved in the efforts to help Purchasing Director Ed Lee and Kevin Williams.

The Certification Task Force has completed their process and submitted a short version for certification. The staff has sent information out to all firms on the database regarding this change.

The Committee will hold a special meeting on July 9, 1997 to discuss guidelines for the outreach of MBEs and WBEs for the meeting with the Mayor.

Giants Stadium

Zula Jones reported on the Task Force for the New Giants Ballpark. She indicated that the Giants Administration and Port Authority had ensure the Human Rights Commission inclusion of MBEs and WBEs in the program; however, somehow the RFP and the approval of the contract went out without consulting the HRC and its rules and regulations. She is actively working with the Sub-Committee including the Project Manager, to include and amend the procedures to include minority and women owned businesses in the project. Before the Finance Committee of the Board makes its final recommendation, the HRC wants to include the provision of hiring of local and minority firms. The Sub-Committee will meet on Monday, June 30, 1997 to further discuss the issue.

Commissioner Marshall reported that one of the Committee concerns was that the joint venture agreement between Huber, Hunt and Nichols and Kajima would be able to do all the work without opportunities to minority and women owned businesses.

Commissioner Jaicks requested clarification on the access roads issue leading to the ballpark. Ms. Jones stated that the Port has jurisdiction of the area and the HRC will ensure participation on these projects.

Issues Committee

Don Hesse reported that the Issues Committee will meet Wednesday, July 2nd at 5:30 p.m. and the POA will be represented, Commissioner Salazar-Hobson will be chairing the meeting.

Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Knutzen stated that the Committee had very strong feelings regarding the sex club issue and the majority of the meeting was spent discussing the Commission meeting. The Committee also showed their disappointment that not many Commissioners were present and it was difficult to keep a quorum in order to vote on the item which was very important for the Committee. The Committee expressed their concern that other Committees may be treated in the same manner when a difficult issue comes before the Commission.

The Committee went through the process of setting priority issues for the coming fiscal year.

The Committee also discussed a resolution to endorse a bill to deliver absentee ballots to domestic partners who are not able to pick them up themselves. At the present time a spouse can pick up an absentee ballot, but domestic partners are not allowed to do the same.

Commissioner Jaicks commended Commissioner Knutzen for her courage to vote her conscience under tremendous pressure and attack from the public.

NEXT MEETING

DATE: Thursday, July 10, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, Suite 800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING
THURSDAY, July 10, 1997

4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

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ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meeting of June 26, 1997

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Reports on their activities in the Community.

6. REPORT OF THE DIRECTOR
   a. Update on Bonding Assistance Program
   b. Approval of Resolution re: Agreement with San Francisco Housing Authority

7. COMMITTEE REPORTS

   (a) Youth and Education Committee
   Commissioner Ghada N. Saliba-Malouf, Chair
   Commissioner Melecio Santos, Vice Chair
   Commissioner Agar Jaicks, Member
   Brian Cheu, Committee Staff

   (1) There is no Committee Report

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, July 17, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

(1) There is no Committee Report

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, July 16, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

(c) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) The is a Committee Report
(2) Adoption of recommendation from the Roundtable on Police Discipline Reform

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) There is no Committee Report

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, July 15, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Employment Committee

Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) There is no Committee Report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, August 7, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

8. UNFINISHED BUSINESS
There are no items of unfinished business

9. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

10. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY
All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

11. EXECUTIVE SESSION:
a) Closed session help pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11.

Conference with legal counsel - Existing Litigation

P.M. & M. Electric, Inc. vs. City and County of San Francisco, and San Francisco Human Rights Commission.

ABB Daimler-Benz Transportation (North America Inc. (Adtranz) v. City and County of San Francisco, and San Francisco Human Rights Commission.

b) Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussion held in closed session.

ADJOURNMENT

NEXT MEETING: THURSDAY, AUGUST 14, 1997

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

July 3, 1997

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TO: HUMAN RIGHTS COMMISSION

FROM: ISSUES COMMITTEE
ANTONIO SALAZAR-HOBSON, CHAIR

RE: Recommendations from the Roundtable on Police Discipline Reform

The Roundtable on Police Discipline Reform met six times concluding on June 3rd. Representation was fluid, but generally included Bay Area Police Watch, the Police Offices Association, Deputy Chief Earl Sanders, Intergroup Clearinghouse, the Office of Citizen Complaints, the ACLU, Senior Action Network, Coalition on Homelessness, and the Community United Against Violence. The HRC was represented by Commission Comer Marshall and staff Don Hesse.

Over the course of the discussions, there was considerable debate as well as moments of agreement, which are enumerated on the following page. While there was no agreement on issues which would require Charter revision and hence an election, there was agreement on administrative changes that can be implemented by either the Police Commission/Department and/or the Office of Citizen Complaints. Because timeliness was one of the issues on which there was unanimity, all of the attached recommendations have as their goal a shorter time from complaint to resolution.

The Roundtable will be presenting these recommendations to the Police Commission at its meeting on July 16th. All those who participated are being asked to take a position on these recommendations which will then be included as part of the presentation.

The Issues Committee recommends support for the attached recommendations.

THE ROUNDTABLE ON POLICE DISCIPLINE REFORM

1) Delay and lack of timeliness lead to miscarriages of justice or the perception of injustice. The process needs to be sped up. We recommend the following goals:

1 year to complete MCD and OCC investigations
90 days to move a verified complaint to a Police Commissions hearing
60 days for MCD to review and return complaints to the OCC
60 days for MCD from the end of an investigation to the filling of charges
90 days for OCC from the end of an investigation to the filling of charges

OCC did submit a list of exceptions to these goals and other agencies may also have exceptions to these general goals. These exceptions were not part of the Roundtable's consensus process, however the Roundtable did recognize the need to outline some exceptions.

To keep track of progress towards these goals we recommend quarterly reports by MCD and OCC to the Police Commission during regular commission meetings. The reports would include the number of cases and how long they have been pending. At these same meetings, the Commission would report to the public its own progress towards these goals.

2) Cooperation between the different parties in the discipline process needs to be improved not further strained. We recommend that the police reinstate its 14 year old practice of allowing overtime pay when necessary for officers to respond to OCC complaints.

3) We encourage all parties to use mediation to resolve cases which don't involve major infractions, physical harm, or offensive slurs.

I am in support of the above positions.

_____ _____

Name Date

I am not in support of the above positions.

_____ _____

Name Date

HUMAN RIGHTS COMMISSION

July 10, 1997

The Minutes of this meeting are missing.

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CANCELLING REGULAR MEETING
THURSDAY, JULY 24, 1997
4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

Disability Access

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1- HRC Agenda

ROSTER OF COMMISSIONERS

Martha Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Rhonda Rochon
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

THE REGULAR SCHEDULED MEETING FOR THURSDAY, JULY 24, 1997 IS HEREBY CANCELED. THE NEXT REGULAR MEETING IS SCHEDULED FOR THURSDAY, AUGUST 14, 1997 AT 4:30 P.M.

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

HUMAN RIGHTS COMMISSION

August 14, 1997

The Agenda of this meeting is missing.

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MINUTES OF THE COMMISSION MEETING OF AUGUST 14, 1997.

Commission Vice Chair Frank Chong called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Frank Chong, Vice Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks, Comer Marshall, Rhonda Rochon, Ghada Saliba-Malouf and Melecio Santos.

Excused: Antonio Salazar-Hobson.

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Frank Anderson, Brian Cheu, Maria Cordero, Zula Jones, Cynthia Goldstein, Don Hesse, and Gail Roberts.

Guests:

Reid Condit; Gilbert Criswell; Rochelle Frazier, Harry Jamerson; John Maybauer; Grant Mickins; and Stephen Murray.

APPROVAL OF MINUTES

***Moved (Chey)\Seconded (Marshall)\ the minutes of the Commission of July 10, 1997 were unanimously approved.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

a) Individual Commissioners Reports on their activities in the Community.

Commissioner Chong reported that he, along with Commissioner Knutzen, Director Bamba and her staff met with Airport Director John Martin, Airport Commissioner Roland Kwan and Airport staff to discuss communication strategy and direction regarding rebidding of the People Mover's Contract. Meetings will be held periodically to monitor the progress and any questions that may arise regarding the project.

b) Update on the Ad-Hoc Committee on Review of the Executive Director.

Vice Chair Chong reported that the review of the Director is nearing its completion and it will be placed on the agenda at the next Commission meeting.

c) Order of Business, Commission's Rules and Regulations

Commissioner Chong reported that the recent changes on the agenda will be reflected on the Rules and Regulations and be placed for approval at a Commission meeting.

d) Update on the Hamilton Family Center Complaint

Director Bamba reported that an arbitrator has been selected and hearings are being scheduled.

e) MBE Outreach Meeting

Commissioner Chong reported that Commissioners Marshall and Saliba-Malouf were present at the Mayor's MBE outreach meeting. The meeting was very well attended.

f) Open a registered letter from Marie Brouze

Commissioner Chong opened a registered letter from Marie Brouze who requested that her letter be opened at the public meeting.

REPORT FROM THE DIRECTOR

Director Bamba stated that the Mayor's Outreach meeting was well attended. The Mayor stayed for 2 ½ hours. He focused on all concerns and offered very good solutions. She stated that it was very important for her colleagues to be present, Airport Director

John Martin, Port Director Doug Wong, Purchasing Director Edwin Lee, Public Works Director Mark Primeau. The Mayor offered many solutions which awarding departments need to review and adopt. One of his firmness goal was to revamp the subcontracting program.

Disparity Study:

The Mayor also mentioned the disparity study during the outreach meeting. The Disparity Study will offer the basis for a new and revamped program. The consultant is working on recommendations the Mayor wanted as a result of the outreach meeting. He is committed to local business utilization. The consultant indicated that prime contractors do not maintain consistent subcontracting information. Deputy City Attorney Lori Giorgi advised Ms. Bamba not to release any concrete information regarding the disparity study until a comprehensive report is finalized.

Answering a question from Commissioner Chong, Director Bamba stated that the study is on target.

Authorize the Executive Director to Negotiate a Contract for the Citywide Bonding Assistance Program

Director Bamba stated that Jonnie Robinson from the Mayor's Office secured funds for a Citywide Bonding Assistance Program. The firm of Merryweather and Williams will monitor the project.

***Moved (Marshall)\Seconded (Dimapilis) unanimously in favor to authorize the Executive Director to negotiate a contract for the Citywide Bonding Assistance Program.

Meeting with the Mayor

Director Bamba stated that the Mayor requested a meeting will all HRC staff. The meeting will be held on Friday, August 15, 1997 at 401 Van Ness Avenue.

PUBLIC COMMENT

Jesus Gumban a resident of San Francisco stated that he was held up at a MUNI bus and falsely accused by the police department. As a result he sued and has not received restitution. He requested the help of the Human Rights Commission.

COMMITTEE REPORTS

MBE/WBE/LBE Advisory Committee Meeting

Commissioner Marshall reported that at the last meeting the committee heard a presentation from Purchasing Director Edwin Lee regarding his efforts of outreaching to minority and local businesses. The Committee also heard a presentation from Harlan Kelley from DPW. The certified payroll procedure was also discussed. The Mayor also made references to the certified payroll procedures at his outreach meeting. The advisory committee will be looking into the possibilities of streamlining this issue.

Commissioner Marshall reported that the New Giants Ballpark Task Force has met several times. The main thrust of the Task Force is to ensure participation, fair employment and inclusion of minority and women owned businesses. Members of the Task Force include the Giants Administration, Kajima, Huber Hunt and Nichols; The Jefferson Company, the Port Staff, and the HRC staff. An agreement was reached within the task force members to allocate a total dollar value to MBEs of $100 million dollars; to enforce the Local Hiring Ordinance; and to pursue training and employment opportunities for citizens of the City who would like to work for the project. Commissioner Marshall invited Mr. Grant Mickins of the Jefferson Company to do a presentation to the Commission regarding the specifics of the project and agreements.

Mr. Grant Mickins reported that the Giants Administration is committed to provide real participation opportunities for minority and women entrepreneurs of a local nature. After reviewing all figures, the participation percentages allocated for the project were 20% for MBEs and 10% for WBEs. The Jefferson Company has been actively doing outreach and outreach workshops. The week of August 4,5 and 7th held several outreach meetings and opportunities to link up MBEs and WBEs and information on how they can form joint ventures. The contract compliance will be done by the Human Rights Commission. The authority of the HRC is not compromised in this arrangement. Along with the outreach there is also a consensus that the Local Hiring Ordinance will be used to hire 50% local residents, city-wide. A major contract was awarded to an MBE, Marinship who is doing the sewer removal.

Mr. Jamerson, member of the MBE Advisory Committee stated that the Marinship/Ghilotti joint venture is not a legitimate joint venture because all the workers are from Ghilotti Brothers and not from Marinship. Mr. Mickins advised Mr. Jamerson to formally let the HRC Executive Director.

Commissioner Chey thanked Mr. Mickins for his presentation and expressed her concern of not knowing the days of outreach. She stated that she would like to receive all outreach material so that she can send it to her community. She also requested that the trainee jobs outreach be sent to all community agencies of which they are over 40

and to the Employment Committee.

Commissioner Jaicks asked under whose authority is it guarantee that the Human Rights Commission is the department who is responsible for contract compliance. Mr. Paul Osmondson, Director of Planning and Design at the Port of San Francisco stated that he has been working closely with the Giants, the Jefferson Company and the HRC staff to ensure MBE and WBE participation. The Giants voluntarily agreed to develop a program for contracting and subcontracting and it is outlined in the development agreement and the ground rules agreement. These attached leased agreements specifies that the Human Rights Commission through the Executive Director has the authority to anything relating to employment through Chapters 12B and 12D. The procedures of mediation and conciliation will be handled by the HRC Director.

Director Bamba stated that the HRC was not clear on how the implementation will work but her understanding is that this document is a legally binding document. For purposes of clarification she requested that Mr. Osmondson clarifies on whether the documents would be enforceable through the Port of San Francisco. Mr. Osmondson stated that the development agreement and the lease requires that the Giants work with the Port and the HRC to develop a program, as an attachment to the lease it is legally binding. In the event that there is a serious problem the lease is legally binding. Commissioner Marshall stated that the two attachments is called exhibit one, program of diversity and the other is the attachment 14, program of diversity (he distributed copies of the two attachments). Chapter 12B does not include leases and therefore the attachments were included, Mr. Osmondson explained. Mr. Jefferson from the Jefferson Company stated that the Board of Supervisors clearly approved the lease along with the attachments making it a binding document. The Board of Supervisors made a stronger contract enforceable by the HRC.

Public Comment:

Tamara Ching stated that on the attachment, page 14, gender identity was excluded as a protective class.

Commissioner Chey invited the Jefferson Company to present to the Employment Committee to do a presentation regarding employment opportunities for the new Giants Ballpark.

Issues Committee

Commissioner Jaicks stated that the Committee was in the process of writing findings and recommendations regarding the Police Officer firing and the police activity at the Police Commission. Don Hesse reported that the findings will include whether individuals were deprived of their rights.

Lesbian Gay Bisexual Transgender Advisory Committee

Larry Brinkin reported that the Committee did some planning and identified major topics of presentation. All meetings are held on the Third Tuesday of every month at 5:30 p.m. Next meeting the presentation will be on: "Anti-Gay violence and the Media", in September "Family Issues on the LGBTAC Community", in October "Sexism within the LGBTAC Community", in November "HIV Funding", in January a presentation from the Leather community and issue of Assimilation. In February a presentation regarding "Racism within the LGBTAC Community" and in March "Poverty within the LGBTAC" and how welfare reform has impacted the community.

1) Approval of Letter to the Department of Public Health (DPH) forwarding concerns of the Lesbian Gay Bisexual Transgender Advisory Committee regarding DPH regulations of sex clubs.

   Mr. Brinkin reminded the Commission that the LGBT Advisory Committee had requested the Commissioners to send a letter to DPH adopting the concerns of the Committee as the Commissions. The Commission voted down the letter and nothing was forwarded. At this time the Committee is requesting that the HRC forward the concerns of the Committee making it clear on the letter that it is for "informational purpose only" and not the view of the Human Rights Commission. Mr. Brinkin stated that it is important for the Committee to send the concerns specially because Dr. Hernandez has left the directorship of the DPH and whoever take her place should be aware of the Committee's concerns.

2) Approval of letter to the Department of Public Health expressing interest in cosponsoring a public forum regarding DPH regulations of sex clubs.

***Moved (Marshall)\Seconded (Chey)\Unanimously in favor to send both letters.

Public Comments:

Gilbert Criswell appreciated the Commission to send the comments to DPH. Mr. Criswell asked the Commission to clearly outline their position since they do not agree with the Committee's position at first and are now sending the recommendations, were they reversing their decision? Commissioner Chong stated that the position of the Commission was addressed in the past, the Commission is not revisiting the issue. Mr. Criswell asked that the Commission revisit the issue.

Steve Murray stated that there was a third letter approved at the Committee and would like to know why it was not presented to the Commission. Mr. Brinkin stated that a Committee member brought up an issue for discussion at the Committee meeting, it was regarding an ad that was placed by the Eros Club. A vote was taken to request the Commission to investigate the ad. However, the Commission has the policy that

they must hear from all sides that are affected by an issue. Therefore the issue has been placed on the Agenda for Tuesday, September 16, 1997 for discussion and the owner of the Eros Club has been invited.

Employment Committee Report

Commissioner Chey reported that the Committee met on August 7, 1997 with a full agenda. The Committee continue with the discussion of women elevator operators. The item was tabled since the employers were not invited to participate in the discussion. The Committee also discussed the need for additional staffing for the Employment Unit.

Frank Anderson reported that the Committee discussed the 49ers stadium and issues of employment. They will invite the administrators of the 49ers stadium to come to an Employment Committee meeting. The same issues will be addressed to the Giants Ballpark team. He also reported to the Committee that Supervisor Teng is about to propose legislation that will affect sweatshops in regards to how the City does business with sweatshops. This issue will be brought to the Commission at a later date. Commissioner Knutzen also requested that the Employment Committee assist the Campaign to Abolish Poverty, a coalition of organizations looking at the old concept of poor. At the next commission meeting the Committee will do a presentation for the final report on the new main library. The new library still in the process, it is not finished. Another presentation will be on the new project called Project Step-Up preparing workers for construction, through City College. The program is focusing to prepare people who are coming off of welfare.

Jonnie Robinson reported that the 49ers Stadium Coordinators are planning to hold training at the South East Community for training. She suggested that the HRC invite Will Lightbourne to further discuss the issue.

Director Bamba stated that Supervisor Medina has requested the HRC's Employment Committee to engage into a study to justify youth employment. There are a lot of issues including youth education before the Committee.

Youth and Education Committee

Commissioner Saliba-Malouf reported that the Committee met on July 17, 1997 the meeting concentrated on following up to the annual retreat and setting priorities for the coming year.

Brian Cheu reported that the Committee will look at six different areas: Violence, Diversity, Youth Rights, Community Resources, Juvenile Justice, and Public Policy. The three prioritized were Youth Rights, Public Policy and Juvenile Justice. The Committee formed three sub-committees to specifically addressed the three priorities.

A Consultant has been hired to write the proposal regarding the Violence in the Schools, Elena Uribe. Ms. Uribe comes with a wealth of experience in the area.

Calendar of Upcoming Events

Ms. Cordero will call and schedule Commissioners' Tour of the San Francisco International Airport, and of the Housing Authority.

NEXT MEETING

DATE: Thursday, September 11, 1997

TIME: 4:30 P.M.

PLACE: 25 Van Ness Avenue, #800
San Francisco, CA 94102

All committees and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise noted.

ADJOURNMENT

The meeting was adjourned at 6:50 p.m. by Commission Vice Chair Frank Chong.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

DOCUMENTS DEPT.

AUG 22 1997

SAN FRANCISCO
PUBLIC LIBRARY

CANCELLING REGULAR MEETING
SCHEDULED FOR THURSDAY, ~~SEPTEMBER~~ 28, 1997
August 28, 1997
4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

ROSTER OF COMMISSIONERS

Martha L. Knutzen, Chair	Frank Chong, Vice Chair
Youn-Cha ShinChey	Shirley Dimapilis
Agar Jaicks	Comer Marshall
Rhonda Rochon	Antonio Salazar-Hobson
Ghada Saliba-Malouf	Melecio Santos

EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
Maria L. Cordero
252-2517

DISABILITY ACCESS

The HRC Conference Room is wheelchair accessible. The closest accessible BART station is the Civic Center Station. Accessible MUNI lines serving this location are the 26, 42, and 71 and the Metro station at Van Ness and Market. There is accessible parking in the vicinity of 25 Van Ness Avenue. The following services are available upon request with 48 hour advance notice: American Sign Language interpreters, use of a reader during a meeting or sound enhancement system. Accessible seating for persons with disabilities can be made available. Following a meeting, meeting proceedings can be made available in alternative formats. To make arrangements or for information, contact Gail P. Roberts 252-2508 (Voice) or 252-2550 (TDD). In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

KNOW YOUR RIGHTS UNDER SUNSHINE ORDINANCE

1- HRC Agenda

ATTENTION MBEs/WBEs AND LBEs

Please join the San Francisco Human Rights Commissioners in the "Save the Dream" March to commemorate the 34th Anniversary of the March on Washington led by Dr. Martin Luther King, Jr.

The March is sponsored by the National Rainbow Coalition in defense for Civil Rights

Join us this ***THURSDAY, AUGUST 28, 1997***
Meet at: Crissy Field at 9:00 a.m. on the right side of the stage. Buses will shuttle everyone to Vista Point of the Golden Gate Bridge where the March will begin at 10:00 a.m.

As you may have heard Proposition 209 was upheld. We don't know what repercussion this may have on our MBE/WBE/LBE program. Come join us.

Please call Donna Rice-Mason at 252-2531 to RSVP

Rev Cecil Williams Invites you to

Save the Dream

Show Support for Affirmative Action

March Across the GOLDEN GATE BRIDGE

Thursday, August 28
10:00 am-12:00 noon

When you march with us
We show our power by numbers

We want 1,000 people who have been touched by Glide to be marching!

Please tell all your friends as we attempt to bring about Diversity

Sign up by calling the Glide Celebration Office
(415) 771-6300
Buses leave Glide @ 9:00 am

Glide Church • 330 Ellis Street • SF

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web sitehttp://www.ci.sf.ca.es./ethics.

2)

NEXT MEETING: THURSDAY, SEPTEMBER 11, 1997

c:\agenda 91197

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

REGULAR MEETING
THURSDAY, September 11, 1997

4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

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ROSTER OF COMMISSIONERS

Martha L. Knutzen, Chair	Frank Chong, Vice Chair
Youn-Cha Shin Chey	Shirley Dimapilis
Agar Jaicks	Comer Marshall
Rhonda Rochon	Antonio Salazar-Hobson
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EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
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252-2517

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25 Van Ness Avenue
Suite 800
San Francisco
California 94102-6033

TEL (415) 252-2500
FAX (415) 431-5764
TDD (415) 252-2550
http://www.sfhumanrights.org.

KNOW YOUR RIGHTS UNDER SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force at 554-6075.

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AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meeting of August 14, 1997 to be tabled at next Commission Meeting on September 25, 1997.

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Report on their activities in the Community
   b. Approval of Commission's Rules and Regulations (By-Laws) Order of Business
   c. Update on the Hamilton Family Center Complaint
   d. Approval of Commission to hold a joint hearing on October 30, 1997 between Commission on the Status of Women and the Human Rights Commission to gather testimony in support of CEDAW.

6. REPORT OF THE DIRECTOR
   a. Disparity Study Update

7. COMMITTEE REPORTS

   (a) Issues Committee
   Commissioner Antonio Salazar-Hobson, Chair
   Commissioner Agar Jaicks, Member
   Don Hesse, Committee Staff

(1) Report on the Activities of the Committee

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

(1) Report on the activities of the Committee
(2) Approval of letter to Health Service System Board advising them of Human Rights Commission research on exclusion of health insurance coverage for city employees' transsexual treatments & surgeries, and a asking for reasons for such exclusions.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, September 16, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(c) Employment Committee

Commissioner Rhonda Rochon, Chair
Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

(1) Report on the activities of the Committee

NOTE: *The next meeting of the Employment Committee will be held on Thursday, October 2, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(d) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

(1) Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, August 21, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

1) Report on the Activities of the Committee

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, September 17, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. UNFINISHED BUSINESS
There are no items of unfinished business.

9. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

10. CLOSED SESSION:

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to the California Government Code Section 54957 the Commission will enter into a Closed Session to evaluate the performance of Marivic S. Bamba, Executive Director of the Human Rights Commission.

2. LITIGATION
a). Commission vote on whether to assert the attorney-client privilege and enter into closed session with the City Attorney to discuss pending litigation. (Action Item).

3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION-
Pursuant to Government Code Section 54956.9(a) the Commission will meet in closed session with the City Attorney regarding: Coalition for Economic Equity, et

al. V. Pete Wilson, et al.; Federal District Court No. CV 96-4024.

4. Commission vote on whether to disclose any or all of the discussions with the City Attorney during closed session. (Action Item).

11. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY
All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, SEPTEMBER 25, 1997

c:\agenda 91197

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

September 11, 1997

Dr. Harry Paretchan, President
City and County of San Francisco
Health Service System Board
1145 Market Street, 2nd Floor
San Francisco, CA 94103

Dear President Paretchan and Commissioners:

On August 8, 1996 we wrote the Board and sought assistance in eliminating an inequity in health coverage for transgendered City employees. A copy of the letter is attached. We reiterate that transgendered individuals require basic health care both related and not related to their status, and not being able to obtain these services through their City-provided health plans is clearly a violation of their rights and may violate the City's non-discrimination ordinances. We met with you on December 17, 1996 to discuss this issue in further detail. At that meeting, we agreed that both the Human Rights Commission and the Health Service System Board would research questions remaining about health insurance coverage for transgendered people. We agreed to ask transgendered people for information about insurance carriers who provide coverage and you agreed to ask the City's present insurance carriers about coverage. We appreciate the steps the Board has taken to gather information from the different insurance carriers regarding the possibilities of coverage and other issues related to transsexual treatments and surgeries; we also appreciate being informed of these responses.

We are writing to update you about our work and inform you about developments regarding this matter.

The HRC has engaged its resources in a fact-finding process on the different aspects of the issue. It has engaged the services of a graduate school intern who has formed a Committee of volunteers to meet with HRC staff every two weeks to discuss these issues and share developments in their assigned tasks. We are gathering information in the following areas:

1. Substantiating that the exclusion in City health plans is a differential treatment and unequal access issue, therefore possibly violating City ordinances;

2. The transitioning of a person from female-to-male or male-to-female as an individual process in which people select from a variety of options in which having sex reassignment surgery is not necessarily the ultimate objective;

3. Collecting clinical information and literature presently available from the most experienced and respected practitioners in the field;

4. Determining actual numbers and costs of the different medical procedures and treatments one might incur at any point along the spectrum of the transitioning process;

5. Surveying the literature on outcome data with respect to transgendered individuals.

At this point, we would appreciate information about some additional items. First, we need to know the specific reasons why the exclusions for transsexual treatments and surgeries are contained in City health

plans, when the exclusions were added, and what the process was in deciding to add them. Second, we would like to know what other areas the HRC could address to eliminate this inequity in City health plans as soon as possible.

The Commission continues to play a significant role in advocating for the rights of transgendered persons. We continue to endeavor for equality and non-discrimination for all. We look forward to your response with the hope that our two Commissions can work together to see this inequity eliminated. Thank you.

Sincerely,

Martha Knutzen
Chair

cc: Transgender Community Task Force

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth floor
San Francisco, CA 94102
(415)252-2500
TTD: (415) 252-2550

MINUTES OF THE COMMISSION MEETING OF SEPTEMBER 11, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:30 p.m.

ROLL CALL

Commissioners:

Present: Martha Knutzen, Chair, Youn-Cha Shin Chey, Agar Jaicks,, Ghada Saliba-Malouf, Frank Chong, Vice Chair, Shirley Dimapilis, Comer Marshall, Antonio Salazar-Hobson, Melecio Santos.

Absent: Rhonda Rochon

HRC Staff

Present: Marivic S. Bamba, Executive Director, Veronica Balseiro, Larry Brinkin, Frank Anderson, Brian Cheu, Zula Jones, and Don Hesse.

Guests:

John Kennedy, City Attorney,

APPROVAL OF MINUTES

Minutes for the Commission Meeting held August 14, 1997 will be presented to the Commissioners on September 25th for approval.

PUBLIC COMMENT

Harry Jamerson reported that he did some work for Ruiz Construction and has not been paid after 2 months. The Human Rights Commission is in the midst of investigating this issue now. HRC announced that the issue seems to be that the parties need to agree on an amount. The Commission suggested that this item be put on the Agenda to report on the status of the investigation. The prevailing wage issue is under the purview of Public Works and the HRC is working with them. The commission supports the concept of getting prevailing wages.

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Individual Commissioners Report on their activities in the Community

Commission Chair, Martha Knutzen, reported that Commissioner Rochon is leaving her position as Human Rights Commissioner. She relocated to Vallejo and is also working in a new job serving the public. Commissioner Knutzen noted how impressed she was with Commissioner Rochon's work in the Employment Committee and has not doubt that she will continue to serve her community in Valejo very ably as she has a lot to contribute.

In terms of a replacement, the Mayors office has been informed of her resignation but there is no word on her replacement yet. The Commissioners have been asked to please attend meetings to make sure there is a quorum (Quorum is 6 Commissioners to fill a vacant seat even though there are two vacancies).

Would like to have the Employment Committee staff assist in creating resolution noting Commissioner Rochon-Smith's accomplishments and thanking her for her work. Would like this on the Agenda for next time.

Commission Chair, Martha Knutzen, met with Jewish Students at SF State University concerned about incidents at State. She also met with Supervisor Ammiano, Larry Brinkin, and Agar Jaicks around religious service task force. She also had a meeting with Commissioner Chong around the People mover contract at Airport. Commend the hard work James Fields and Director Bamba with keeping pre-qualification problems on track. Also attended a meeting with the Full Employment Coalition to ensure living wage jobs in San Francisco. The staff in the Employment Committee will assist with this coalition. She also reported on the testimony that Commission representatives provided at the SF School Board re: compliance with Equal Benefits Ordinance. Marianna Balquierda did an excellent job giving testimony on behalf of HRC.

Commissioner Jaicks revisited the Religious Service Providers. He thought that Supervisor Ammiano said he might want to put together a Hearing on the report. The Commission Chair clarified that there was a general discussion about that possibility as a follow-up.

Commissioner Chey reported that the Mayors Meeting with the HRC Staff and the perception of the HRC as not being a good perception. She feels that it has to do with outreach and information sharing so she attended the HRC outreach meeting with the community based organizations. She reported that this Job Banks meeting was an effective meeting.

Commissioner Chong thank the Staff and Commissioners for attending the Save the Dream March. He reported that he was alarmed by recent reports of hate crimes against Asian Pacific Americans as numbers have increased dramatically in the past year.

APPROVAL OF COMMISSIONS RULES AND REGULATIONS

To make sure we are in compliance with the Sunshine Ordinance we need to Change the Order of Business. Page 2 of the Rules and Regulations.
***Moved(Chey)Seconded(Jaicks) Unanimously in favor of approving the above resolution.

Update on the Hamilton Family Center Complaint

Don Hesse reported that a pre-hearing meeting with all the Councils in the parties is set for next week. Commission has no involvement.

Approval of HRC to hold a Joint hearing, October 30, 1997 between Commission on the Status of Women and the HRC to gather testimony in support of CEDAW.

CEDAW is the Convention of Elimination of all forms of Discrimination Against Women. A UN document passed in 1979 and signed by President Carter in 1980. The treaty, which calls for the elimination of all forms of discrimination against women, has never been ratified by the United States Senate and 155 other countries have passed it. Once passed it is a mechanism for monitoring achieving the goal for ending discrimination. Supervisor Barbara Kaufman will be Chairing the committee and will want to hear witnesses explain how this effects Local government. If the initiative passes it would give city more clout to work on the goals that exist for women as it is a strategy that will make sure that women's' rights are human rights. The Hearing set for October 30, in which there will be gathering of testimony. We hope that the Board of Supervisors will pass the initiative on March 8, 1998, which is the International Women's Day. The Commission Chair introduced Chrisanti Damarand to speak on this subject and answer questions.

Chrisanti Damarand reported that once countries are ratified are supposed to do a status report on what they have done to eliminate discrimination. They then report every 4 years. There will be discrepancies, for example, Morocco reported this year and said they have the right to decide what they want to do in a family setting. However, the Women's Organizations and Human Rights Organizations said otherwise, by saying, yes they do, but they need to get permission from their fathers. So the Committee and the UN would question this and say can we come together on this to use their resources to end systematic discrimination. So, although this serves as a guideline there are countries and people who are making true efforts to end discrimination.

Commissioner Knutzen has more detailed information on organizing efforts.

Executive Direct Bamba reported that with respect to efforts to complete disparity studies, these records and testimony will have compelling patterns of discrimination against women which will show that there is a profound impact on the socioeconomic inequity against women when they are disparately treated. This will proved all Human Rights Organizations that this will not just serve as a remedy but provide for the elimination of discrimination.

***Motion(Chey)\Second(Marshall) Unanimously in favor to approve the following resolution: Approval of HRC to hold a Joint hearing, October 30, 1997 between Commission on the Status of Women and the HRC to gather testimony in support of CEDAW.

Closed Session:

Litigation: Commission vote on whether to assert the attorney-client privilege and enter into a closed session with the City Attorney to discuss pending litigation.
Coalition for Economic Equity vs Pete Wilson.
***Motion(Chey)\Second(Chong)\Unanimously in favor not to disclose the action taken or discussion held in closed session.

Open Session:

REPORT FROM THE DIRECTOR

Disparity Study
Director Bamba reported on the Disparity Study. HRC staff met this week with the consultant and spoke about strengthening the anecdotal evidence. The study has all prime contractor statistical information, but of the subcontractor survey, the response rate was low because the data does not go that far back and is incomplete because the city is not consistent with reporting efforts. There is eight million dollars worth of contracts being rehashed and DPW is assisting with this effort. This tracking issue will strengthen the recommendation for a computerized tracking system. The Mayor given an update on the Disparity Study today. Commissioners will receive a draft report for their review.

People Mover Project.
Moving forward. James Fields doing excellent work. Director will submit final decision on contract. HRC imposing added measure of due diligence. HRC will inform commissioners of decision very soon. James Fields and HRC will do a mock review.

Housing Authority MOU.
The Director just received the MOU today and will review as well as Supervisor Brown review for next meeting.

Equal Benefits Program
Meeting with various departments regarding equal benefits program. "911" project is the most recent project secured by project manager, Mr. Martin. He has secured the compliance of Flour Daniel after a certain period of time within their contract. HRC is getting agreement from major vendors who apply for sole source to comply with 12-B after some period. A lot of companies are have trouble complying. The Director will be meeting with the Mayor tomorrow September. 12, at 10:00 a.m. to discuss what the issues are and what companies are having trouble complying.

Proposed Legislation in the Employment Arena. 1st source agreement.
City Attorney has advised Supervisor Kaufman and asked HRC look into and request a study before enacting an ordinance. Employment Study conducted and local residence and EDD statistics will be considered.

HRC Staff Meeting with Mayor
A report of minutes has been submitted to the Commissioners. HRC Staff will be meeting with the Mayor during a General Staff Meeting. The Mayor will sit, listen, and provide ideas. There is also a Staff Retreat approaching once vacancies are filled. The new staff is expected to be on board after being interviewed by a panel who will be made up of a diverse group of community representatives.

COMMITTEE REPORTS

Issues Committee

Don Hesse reported that during the March 19th Police Commission Meeting the constituents are trying to get indication as to what happened. At the last Issues Committee Meeting they began to evaluate the information, Commissioner Salazar-Hobson has been assisting with his keen attorney skills. Commissioner Knutzen and Jaicks were asked to evaluate racial epithets used by police officers and whether the moment of silence that was disturbed which raised question of presence of discrimination. The recording of the meeting is poor quality and it is difficult to hear clearly what individuals are saying on the tape. Although, the tape is not clear, you can understand where supporting statements are coming from. .

Lesbian, Gay, Bisexual, Transgender Advisory Committee

Commissioner Knutzen reported on MUNI violence. Commission members were adamant that the level of safety and discrimination, particularly against transgender people, be looked into. Knutzen recognized that MUNI has been making a concerted effort to try to improve relations with the public. The Community United Against Violence (CUAV) attended the meeting.

Commissioner Knutzen also reported that Gina Debrees, the youngest member of the LGBT community, had been given an award by a program called, "brave little girls". An exhibit exists in the Main Library, providing educational materials around young girls issues.

Action Item: Approval of letter to the Health Service System board advising them of the Human Rights Commission research on exclusion of Health Insurance Coverage for City Employees, Transsexual Treatments and Surgeries and asking for reasons so such exclusions. A meeting was held August 8, and it was agreed that more information would be collected. Russell Hilkene, intern of HRC and facilitator of the group of activist is putting together the information the Committee would need. Larry Brinkin reported that in August 1999 the Commission wrote letter to the Health Services Board because the exclusions were questionable in terms of discrimination. All the City Health Plans contain language that exclude services for transsexual treatment and surgeries. Insurance agencies say they would include plans but want to know what the cost would be.

Russsell Hilkene reports that Kaiser is taking the lead on responding positively. But need an positive response across the board because the insurance companies fear a disproportionate financial impact.

Commissioner Knutzen reported that she wanted to send a second letter to the Health Services System Board, a status letter. She passed around a 3rd draft to offer as the letter that would be sent over. The letter requests reasons for the exclusion.

***Moved(Chey)\Second(Hobson)\Unanimously in favor to send letter to the Health Services System Board..

Employment Committee

Commissioner Chey reported that commissioner Rochon attended her last meeting on September 4, 1997. The Advisory Committee decided that they would have a resolution to commend her leadership. Two main items were discussed. The first was Grant Mckinns, Project Manager of Pacific Bell Park Construction. He presented their Volunteer Program of non-discrimination in construction. The second was a presentation by GAP inc. who presented their successful employment program. Frank Anderson presented legislation that was accepted by the Board of Supervisors but not signed by Mayor yet. It was presented by Jose Medina. It was on the Youth Jobs study determining of there were City Contract opportunities. Mr. Guillermo will present information on Project Step Up.

Mr. Guillermo reported that Project Step Up works to recruit women in the Construction fields and other non-traditional fields. The Program is free, located at 1400 Evans Avenue and it is

directed towards single mothers, and single pregnant women. The women are trained in the trades, they receive support services, counseling, and referrals to non-traditional fields.
Frank Anderson commented that this program is another resource that contractors have for meeting their goals.
Commissioner Chey says there is a change in demographic profile of San Francisco and there is not a well designed program that addresses this change. The program is good because it is providing the skills that are needed at the job. Students can come in with no funds and take the class.
Frank Anderson announced that the next Employment Committee is October 2, 1997.
September 22 is Elevator Women's Special Meeting.

Youth and Education Committee

Brian Cheu reported a Youth Rights, Public Policy and Juvenile justice.
Juvenile Justice: Working on linkages with Delancy Street overhauling the current juvenile system. Public Policy: Potential Adoption of the International Rights of the Child Convention. Looking at a Current US Senate Bill that would attempt to criminalize certain actions, in addition to looking at better ways to agendize local issues and local bills that should be brought to the attention of the Commission. Youth Rights Groups: Rights adequately protected and potential resources for youth that have special needs. Also asking volunteers to assist with youth working with City contractors.

MBE/WBE/LBE Advisory Committee

Commissioner Marshal reported and gave an update on the Airport Master Plan meeting. They gave an update of where they were going and heavily emphasized the MBE/WBE Program. They also discussed the Bonding program. They indicated that Prevailing wage enforcement was good. Earlier in the week the Commissioner was asked to attend a Housing Authority Program. Meeting to determine how to provide safety, security, and to discuss other issues. He also reported that Frank Anderson was approached by merchant located in Fillmore district who recently opened a department store which require appointments before entering the store. Several individuals attempted to enter the store without appointments and were denied entrance. They are working on a way to improve the rapport with the community. They are selling a variety of products from Korea and the Far East and the store is located in an areas where a lot of other stores are open. Commissioner Chey: went to the store as a customer and noted that they sell souvenire and gift items and found that they had the "appointment only" policy because they felt insecure in the neighborhood. She asked what is the Commission's authority over this issue and Commissioner Knutzen indicated that may be in violation of the Public Accommodations Law. Director Bamba asked the Commission to inform HRC staff if they need assistance in pursuing this further and want to discuss possible strategies for an investigation.

Commissioner Marshall announced that on August 20 and discussed the Disparity study and the City-Wide Bonding Program with Michael Johnson. They are also trying to make a positive impact on how to handle the prevailing wage issues. He also mentioned the new Schedule A form and the Giants Ballpark Outreach.

***Moved(Salazar-Hobson)\Second(Jaicks)Unanimously in favor to approve all Committee Reports.

CLOSED SESSION:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to the California Government code Section 54957 the Commission will enter into a Closed Session to evaluate the performance of Marivic S. Bamba, Executive Director of the Human Rights Commission.

NEXT MEETING:

DATE:	Thursday, September 25,1997
TIME:	4:30 P.M.
PLACE:	25 Van Ness Avenue, Suite 800 San Francisco, CA 94102

All committee and task forces meet in the 8th floor Conference Room at 25 Van Ness Avenue unless otherwise notes.

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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25/97

REGULAR MEETING
THURSDAY, September 25, 1997

4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

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ROSTER OF COMMISSIONERS

Martha L. Knutzen, Chair
Youn-Cha Shin Chey
Agar Jaicks
Antonio Salazar-Hobson
Melecio Santos
Frank Chong, Vice Chair
Shirley Dimapilis
Comer Marshall
Ghada Saliba-Malouf

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EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
Maria L. Cordero
252-2517

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ATTENTION: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Administrative Code 16.520 - 16.534) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 1390 Market Street, #701, San Francisco, CA 94102, telephone (415)554-9510 fax (415)703-0121 and web site http://www.ci.sf.ca.es./ethics.

AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meetings of August 14, 1997 and September 11, 1997.

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Reports on their activities in the Community
   b. Appointment of Commissioner Chey to Chair the Employment Committee.
   c. Approval of Resolution urging the Board of Supervisors to adopt the Convention to Eliminate Discrimination Against Women (CEDAW)

6. REPORT OF THE DIRECTOR
   a. Disparity Study Update

7. COMMITTEE REPORTS

   (a) Lesbian Gay Bisexual Transgender Advisory Committee
   Commissioner Martha Knutzen, Chair
   Commissioner Agar Jaicks, Vice Chair
   Larry Brinkin, Committee Staff

   1. Report on the activities of the Committee
   2. Approval of letter to Eros Club expressing concern about cultural sensitivity in an Eros Club ad, and responding to Eros Club concerns about HRC process.
   3. Approval of letter to Board of Supervisors recommending issuance of a resolution that the California Elections Code be amended to allow domestic partners to be considered family members for the purpose of delivering election ballots.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, October 21, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Employment Committee

Commissioner Youn-Cha Shin Chey, Vice Chair
Frank Anderson, Committee Staff

1. There is no Committee report.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, October 2, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(c) Youth and Education Committee

Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

2. Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, October 16, 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) MBE/WBE/LBE Advisory Committee

Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

1) Report on the Activities of the Committee

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, October 15, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Report on the Activities of the Committee

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. UNFINISHED BUSINESS
There are no items of unfinished business.

9. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

10. Presentation by the MEA regarding the new Performance Management Program to evaluate Managers and Executives (not confirmed as yet)..

11. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY
All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, OCTOBER 9, 1997

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HUMAN RIGHTS COMMISSION

September 25, 1997

The Minutes of this meeting are missing.

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HUMAN RIGHTS COMMISSION

October 9, 1997

The Agenda of this meeting is missing.

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CITY AND COUNTY OF SAN FRANCISCO
25 Van Ness Avenue, Eighth Floor
San Francisco, CA. 94102
(415) 252-2500
TDD: (415) 252-2550

MINUTES OF THE COMMISSION MEETING OF OCTOBER 9. 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Shirley Dimapilis, Agar Jaicks; Comer Marshall, Antonio Salazar-Hobson, Ghada Saliba-Malouf and Melecio Santos.

Excused: Youn Chey

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Maria Cordero, Bayard Fong, Don Hesse, Zula Jones, and Donna Rice-Mason.

APPROVAL OF MINUTES

***Moved (Santos)\Seconded (Jaicks)\the minutes of September 25, 1997 were unanimously approved with the following corrections: Page 4, 4th paragraph change to: Commissioner Knutzen reported that the owner of the club sent a letter to the Committee regarding the ad he placed. Page 5, first paragraph, first line change assembly to US Senate bill. Same paragraph, fourth line, add to the sentence the following: "The bill does not take into account that youth misconduct is not a product of a cost benefit analysis, and..."

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

a) Individual Commissioners Reports on their activities of the Community

Commissioner Marshall reported that he met with the Coalition for Economic Equity last Saturday. Among the issues discussed was the Airport's Stabilization Plan and union involvement. Commissioner Marshall stated that Union leaders submitted a similar plan for DPW contracts. Prevailing wages and minority businesses issues were discussed at length. Minority businesses were concerned that if they are required to hire union workers they will not be able to keep their business viable. They also emphasized the fact that Unions charge an enrollment fee that sometimes people are not able to meet.
Among other topics pertaining to the Human Rights Commission, the Progress Report, the certification process, and the status of the new database were discussed. Members of the Coalition, Commissioner Marshall stated, also asked if African American newspapers had advertised the position openings at the HRC.

Resolution Commending Commissioner Rhonda R. Smith

WHEREAS, Rhonda Rochon accepted a position to serve the people of Solano County after serving as Commissioner for the San Francisco Human Rights Commission from September 1996 until September of 1997; and

WHEREAS, Rhonda Rochon has accepted a position working with the City of Vallejo's "Fighting Back Partnership Program" a Youth Advocate Program and is moving with her new husband to Vallejo; and

WHEREAS, Rhonda Rochon began her career serving the people of the City and County of San Francisco's youths by developing programs and advocating for youth rights through the YMCA since 1992; and

WHEREAS, Rhonda Rochon during her tenure at the San Francisco Human Rights Commission through her leadership and advocacy was appointed Chair of the Employment Committee;

THEREFORE BE IT RESOLVED, that under her leadership, the Employment Committee membership grew in numbers and worked effectively to ensure employment goals for disadvantaged groups were met in the City and County of San Francisco; and

FURTHER BE IT RESOLVED that the San Francisco Human Rights Commissioners and

staff of the San Francisco Human Rights Commission convey their deep appreciation to Rhonda Rochon Smith for her conscientious service, friendship and strong support, wishing her well with the "Fighting Back Partnership" program for Solano County, and her new family.

***Moved (Santos)\Seconded (Marshall) Unanimously in favor.

REPORT FROM THE DIRECTOR

Coalition for Economic Equity Issues

Director Bamba reported that she has been working closely with Commissioner Youn Chey to do a study to ensure minority/women goals. Among issues being discussed is Proposition 209; welfare recipients employment in city contracts; local residence hiring. Supervisor Kauffman introduced legislation to conduct a disparity study to determine whether local residents are impacted unduly. A recommendation was proposed to create an Oversight Committee, headed by Commissioner Chey and including members of the Employment committee, Union members, Community Based Organizations (CBOs) and others. The CBO's complained that prime contractors do not contact them for employment outreach. Answering a question from Commissioners Jaicks and Knutzen, Director Bamba stated that the Oversight Committee is just a suggestion at this time. The Committee will do a feasibility study and then recommend to the Director.

Computer Tracking

Director Bamba stated that she has requested that Diana Rathbone expedite the hardware purchase.

Disparity Study

The Disparity Study is completed. The contractor has been asked by the City Attorney's Office not to release any information until the data is certified. Lori Giorgi stated that the data will be verified and consolidated but will not be released to the public until everything is checked for accuracy.

Certification Update

Approximately 33% of applications have been returned back; the deadline was September 30, 1997. An extension to October 15, 1997 has been given. There are approximately 419 certifications received. Answering a question from Commissioner Knutzen, Pansy Waller stated that the firms were told that they will not be included in the database if they do not return the new application.

Articles in the Newspaper

Answering a question from Commissioner Jaicks, Director Bamba stated that she is evaluating the People Mover Contract at San Francisco International Airport and will make a decision soon.

COMMITTEE REPORTS

Employment Committee

Frank Anderson reported (Commissioner Chey being out of town) that Commissioner Chey chaired the last Committee meeting. The Committee greeted Commissioner Chey warmly and pledged their support as she chairs the Committee. The Committee discussed Proposition 209 at length. The Committee will hear testimony from Margaret Bruckman, Director of Coleman Advocates at the next meeting. Jeff Mori, Director of the Mayor's Office of Children, Youth and their Families has been invited to the meeting after next. On September 22, 1997, Mr. Anderson held a meeting with the Woman Elevator Workers. Members of the group came from as far as New Jersey to attend the meeting. Meetings will be held to address their complaint of lack of work or equity in hiring women elevator workers. Mr. Anderson stated that he participated in the awareness day for Sweatshop Watch. Mr. Anderson stated that Commissioner Chey will introduce a resolution for Yori Wada.

Youth and Education Committee

Commissioner Ghada Saliba-Malouf introduced two letters for the Commission's approval regarding US Bill 10 which restricts the rights of youths.

Approval of Letter to the Board of Supervisors regarding United States Bill 10, the "Violent and Repeat Juvenile Act of 1997".

Approval of Letter to Mayor Willie L. Brown regarding United States Bill 10, the "Violent and Repeat Juvenile Act of 1997"

***Moved (Saliba-Malouf)\Seconded (Salazar-Hobson)\Unanimously in favor to send the letters requesting the Mayor and Board of Supervisors to oppose the U.S. Bill 10, the "Violent and Repeat Juvenile Act of 1997" with Commissioner Salazar-Hobson's amendments.

EXECUTIVE SESSION

***Moved (Saliba-Malouf)\Seconded (Salazar-Hobson)\Unanimously in favor to enter into executive session.

Pursuant to the California Government Code Section 54957 the Commission entered ;into a closed session to evaluate the performance of Marivic S. Bamba, Executive Director of the Human Rights Commission.

Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussion held in closed session.

***Moved (Santos)\Seconded (Dimapilis)\Unanimously in favor not to disclose action taken or discussion held in closed session.

ADJOURNMENT

The meeting was adjourned at 6:30 p.m. by Commissioner Knutzen in honor of Jo Daly, former Human Rights Commission staff and first lesbian on the San Francisco Police panel.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

/mc

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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REGULAR MEETING
THURSDAY, OCTOBER 23, 1997

4:30 P.M.
25 VAN NESS AVENUE
EIGHTH FLOOR CONFERENCE ROOM
SAN FRANCISCO, CA 94102

ROSTER OF COMMISSIONERS

Martha L. Knutzen, Chair	Frank Chong, Vice Chair
Youn-Cha Shin Chey	Shirley Dimapilis
Agar Jaicks	Comer Marshall
Antonio Salazar-Hobson	Ghada Saliba-Malouf

Melecio Santos

EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
Maria L. Cordero
252-2517

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AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meetings of October 9, 1997.

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Reports on their activities in the Community

6. REPORT OF THE DIRECTOR
   a. Mayor's State of the City Address
   b. HRC Program Unit Activities

7. COMMITTEE REPORTS

(a) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

1) Presentation on the Status of the Pacific Bell - New Giants Ballpark
2) Report on the Activities of the Committee

NOTE: *The next regular scheduled meeting of the MBE/WBE/LBE Advisory Committee will be held Wednesday, November 19, 1997, at 5:30 P.M. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(b) Employment Committee
Commissioner Youn-Cha Shin Chey, Chair
Frank Anderson, Committee Staff

1. There is no Committee Report

NOTE: *The next meeting of the Employment Committee will be held on Thursday, November 6, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

(c) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

(1) Report on the Activities of the Committee

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

1. Report on the Activities of the Committee

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, October 21, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

1. Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, November 20 , 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

8. EXECUTIVE SESSION

a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Pursuant to the California Government Code Section 54957 the Commission will enter into a Closed Session to evaluate the performance of Marivic S. Bamba, Executive Director of the Human Rights Commission.

b) Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussion held in closed session.

9. UNFINISHED BUSINESS

There are no items of unfinished business.

10. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

11. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

The Commission will hold ONE meeting only in November and December. The meeting in November will be Thursday, November 13, 1997. The meeting in December will be Thursday, December 11, 1997. The regular meeting scheduled for November 27, 1997 and December 25, 1997 are hereby canceled.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, NOVEMBER 13, 1997

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MINUTES OF THE COMMISSION MEETING OF OCTOBER 23, 1997.

Commission Chair Martha Knutzen called the meeting to order at 4:45 p.m.

ROLL CALL

Commissioners

Present: Martha Knutzen, Chair; Frank Chong, Vice Chair; Youn Chey, Shirley Dimapilis, Agar Jaicks; Comer Marshall, Antonio Salazar-Hobson, and Ghada Saliba-Malouf.

Excused: Mel Santos

HRC Staff

Present: Marivic Bamba, Executive Director; Larry Brinkin, Maria Cordero, Bayard Fong, Don Hesse, Donna Rice-Mason.

Guests: James Brady, Telecon; Dawn Clements, Western Select; Todd Clayter, The Jefferson Company; Tom Chasm, Specialty Trucking; Maggie Hallowell, Pacific Bell; Leonard Harper, NAACP; David Hudson, Landavazo Brothers; Jim Jefferson, The Jefferson Company; Masashi Katayama, Kajima Urban Development; Todd Lewis, Omega Pacific; E. Lowe Jr, Statewide Concrete; Kevin Lawson, Bayview Sand; Rob Lim, Port of San Francisco; Darlene Mar, CAABA; Grant Mickins, The Jefferson Company; Diane Miller, Miller/Thompson; Jimmie Potts, Specialty Trucking; Frank Sanchez, S&S Trucking; Mahendra Shah, Peak Engineering; Judy Sorro, Mission HH/SOuth of Market Employment Center; Jerrold Taylor, Bayview Sand; Staci Walter, SF Giants; Alan S. Wong, CAABA; Frank Wishom, F2 Technologies; Corinne B. White, Huber, Hunt & Nichols/Kajima; Luna Yasui, Chinese for Affirmative Action;

APPROVAL OF MINUTES

***Moved (Dimapilis)\Seconded (Chong)\the minutes of October 9, 1997 were unanimously approved with the following correction:

GENERAL COMMUNICATIONS

The General Communications file was circulated.

REPORT OF THE CHAIR

Commissioner Knutzen reported that the CEDAW hearing is scheduled for October 30, 1997. The Commission will co-sponsor the hearing along with the Commission on the Status of Women and all Commissioners are invited to attend. Commissioner Knutzen reported that Ms. Judith Winston, Executive Director of the President's Initiative on Race will visit the San Francisco Human Rights Commission on Friday, October 31, 1997 at 12:00 p.m. Commissioner Knutzen, along with Director Bamba and members of the staff will make a short presentation on how we enforce the laws in San Francisco. All Commissioners are invited to attend.

REPORT FROM THE DIRECTOR

State of the City Address : Director Bamba distributed a copy of the Mayor's State of the City Address.

Program Unit Activities: Director Bamba reported that the computer hardware network proposals will be received next week. The software consultant will come in to modify all the different program unit needs and she expects that the computer system will be up and running soon.

Oversight Committee: Director Bamba met with Commissioner Youn Chey regarding the Oversight Committee. Commissioner Chey will bring the issue to the full Commission at the next meeting.

Committee Reports

a) MBE/WBE/LBE Advisory Committee

Presentation on the Status of the Pacific Bell - New Giants Ballpark

Commissioner Knutzen stated that the HRC has ben involved through the MBE Advisory Committee in overseeing the MBE/WBE/LBE participation for the new Giants Ballpark. She commented that as Chair of the HRC, she is excited about the

employment possibilities for the Giants Ballpark and thanked the presenters for attending the meeting.

John Yee, Vice President, San Francisco Giants, referred to the program as a live program. He stated that the program is expanding and embracing the suggestions put forth by the HRC, Commissioners, the Director, and the Community Based Organizations. He is pleased that the New Giants Ballpark team will be providing an update. He expects that the ballpark will breakground next month. He reported that he represents the New Giants Ballpark with their commitment to address the vision of the Commission and the community. The work to address these issues will continue and he will be back to do periodical presentations.

Dave Hathaway from Kajima, reported that the process was began by HOK Sports. HOK sports selected local subconsultants and WBE consultants to review the proposals. At that time the Ballpark project was under the Redevelopment Agency. Soon after they began working with Director Bamba and the Port of San Francisco devising a program to outreach the minority and local businesses. Because the program would be unique to the San Francisco, the organization felt it necessary to outline a diversity program. This "Program in Diversity" was then attached to the DDA. It addressed what the team is doing to address the City's diversity program as well as outlining the working relationship with compliance officers within the HRC and the Port. The goals set were 20% MBE goal and a 10% WBE goal. Another component of the program, one which is usually overlooked is Training. Members of the team reported that Community Based Organizations (CBOs) always complain that they are not contacted to fill jobs. The CBOs also complained that many projects do not meet the goals of training. This team wanted to serve as a model to other similar projects coming up lasting more than 30 months, projects such as the new 49ERs Stadium, Catellus and the on-going Mission-Bay project as well as the project at the Airport. The team also ensured union participation and ensuring that union halls properly trained their individuals. The local hiring ordinance was also adopted and 50% of the hiring must come from local residents. The project will be closely monitored and adjustments made to ensure compliance with the goals set. Mr. Hatheway introduced Mr. Ray Zunino from Huber, Hunt and Nichols.

Ray Zunino introduced himself as the Project Executive for Huber Hunt and Nichols; he stated that the bid packages and project schedules were set in early November. The Ballpark has a target completion date for the year 2000. To meet this schedule the current demolition, prestressed concrete piles, earthwork, and soil stabilization contracts are being expedited. They are currently going through the bid packages. Others contracts to be expedited are for the electrical, concrete, rebbard, and pre-concrete phases of the project. The time is a week to ten days on the first four contracts for phase I, and 3-4 weeks on the phase II. The other phases of the contracts will be awarded at a later date. Contracts such as; painting, ceramic tiles,

and specialty items, will be awarded between December, March to April '98. If you wish to get on the mailing list call, 972-2390 for any package information.

Mr. Jamerson, member of the MBE Advisory Committee requested that goals be set aside for African Americans since Mr. Jamerson believes they are always left out of the bid process and the awarding process. Mr. Zunino stated that they will try to ensure that the goals are met and be representative of the community.

Diane Miller from Miller/Thompson stated that she placed a bid six months ago, and she has not been contacted. Mr. Zunino stated that they contacted the bidders for the first phase of the project. In turn the low bidders were requested to submit their subcontracting participation showing their MBE/WBE/LBE goals.

Mr. James Brady from Telecon asked wether the telecommunication contracts will abide by the same standards. He stated that he has not been successful in securing either RFQ's nor information regarding contracts.

Ms. Maggie Hollowell from Pacific Bell stated that they are adhering to the same standards. She added that Pacific Bell is required to follow PUC guidelines, the PUC calls for a 15% MBE and a 5% WBE; however, they agreed to the 20/10 percent that the team agreed upon.

Answering a question, Mr. Hathaway, stated that the team reviews all the bids. The team includes Huber, Hunt and Nichols personnel, The Jefferson Company personnel; Mr. Roche from the Giants. The team meets every Wednesday morning and they base the award on the following three things; price; level of participation; contracting-training-employment and completeness of their scope of work. The main contract was broken down into 72 packages. Mr. Hathaway reiterated that the team is not committed to price along but to oversee that the MBE/WBE goals are met.

Mr. Grant Mickins from The Jefferson Company stated that the Giants Ballpark Organization is committed to a diversity program. Mr. Mickins has been working along with the HRC staff adhering to the HRC program. In order to reach a consensus on what percentage of the project would go to MBEs and WBEs there were several meetings of the team, the Giants Task Force of the MBE/WBE/LBE Advisory Committee, Ms. Jonnie Robinson of the Mayor's Office and Zula Jones Senior Compliance Officer. The availability of businesses was studied as well as reaching an ethnic participation and ethnic balance reflecting San Francisco. After the goal was set then concentration went to outreach efforts. Mr. Mickins secured the HRC database of MBEs and WBEs and sent out packages to people identified in the database. They began outreaching those businesses that were needed for the first phase of the program. Three major outreach workshops dates were identified. At the meetings the subcontractors were introduced to prime contractors and joint venture information

was also disseminated. The outreach meetings were very successful, a total of 300 subcontractors attended and many of them were introduced to prime contractors. The team also has held numerous meetings with Director Bamba, Zula Jones, and Frank Anderson regarding employment. A meeting was also held at the Mayor's office to reach agreement over problems that had come up.

Todd Lewis from Omega Pacific stated that an HRC contract compliance officer should be overseeing the project.

Darlene Mar, CAABA, asked what leverage does the HRC has in order to monitor and enforce the project. Mr. Mickins stated that the diversity program was incorporated on the DDA. This inclusion may make it legally binding.

James Brady from Telecon stated that the contract is at its design phase. He stated that the design phase didn't outreach to the telecommunications companies. However, he was able to receive the documents when he called Pacific Bell. His business was rejected because he could not comply with the 15 year guarantee. What guarantee does he has that his business will get a fair share.

Ms. Maggie Hallowell, responding to Mr. Brady's question, stated that bid packages were sent to 22 companies to perform inside wire and cable. The list was acquired from the HRC database. There were 10 responses, and 7 companies made it through to the second interview. The other companies were kept for second and third tier projects.

Answering a question from Jimmie Potts, Ms. Corinne White stated that she will be monitoring the 50% local hiring.

Commissioner Chey requested that women elevator apprenticeships be also included in the program. She stated that the women elevator workers have been requesting that the City help them in securing jobs. Ms. Jonnie Robinson emphasized Commissioner Chey's request and stated that she would call Ms. Corinne White.

PRE-CONSTRUCTION PARTICIPATION

Mr. Jim Jefferson stated that one of the goals for the project is to do job training and employment. He stated that to outreach young people in the community the emphasis was placed for apprenticeship program. The program allocated resources for 100 apprentices. In-training programs are being conducted as well for various trade unions to individuals who qualify. They are also coordinating with local CBOs. The CBOs do the initial screening and then Huber Hunt and Nichols will match them with a prime who can offer job opportunities.

Ms. Corinne White stated that local union representatives attend the outreach meetings

and they learn of future employment goals. She will be closely working with the union halls as well as with the CBOs regarding training and employment opportunities.

Answering a question from Dawn Clements regarding financial management opportunities for MBEs and WBEs, Mr. John Yee stated that the process to include financial services or professional services contracts is already closed. If there are future opportunities he will do an outreach for MBEs or WBEs. Specialized areas were established early on the project, before opportunities were considered.

FUTURE CONTRACTING OPPORTUNITIES

Rod Roche, Project Manager for the China Basin Ballpark Company, LLC, stated that he works for employment opportunities under the jurisdiction of the owner. In July while looking into pre-construction activities, one main contract was awarded to Marinship, an MBE The contract is to provide Berry Street Sewer Flow reversal. Most recently they entered into a contract for asbestos abatement, E&J Contractor, a certified MBE firm will receive 20% of the contract.

CLOSING REMARKS AND SURETY BONDING PROGRAM

Mr. Hathaway stated that one of the main concerns that small businesses related to them was the fact that they could not secure bonding requirements. The team looked into possibilities of bonding opportunities for chosen MBEs and WBEs. The China Basin Ballpark Company will not require any bonding placed; however, Huber, Hunt and Nichols do require a performance and payment bond. The China Basin Ballpark Company has then committed help for MBEs and WBEs who are faced with the impediment of securing bonding. They will secure bonding between the lower tier sub and the prime subs. Mr. Hathaway stated that this is something that was not requested of them, but they wanted to do to ensure that there were no impediments for MBEs and WBEs and to show their commitment for the program.

Commission Chair Knutzen thanked the team for their presentation and stated that she was very hopeful about the project. She is happy to see that everyone shares the same goals and commitments.

Issues Committee

Commissioner Jaicks reported that the Committee will be ready to present a draft report on the investigation to the attitude of the police officers at the police commission meeting regarding the Aaron Williams' case. Commissioners will have the opportunity to give their input. The report includes testimony from different people.

Lesbian Gay Bisexual Transgender Advisory Committee

Commissioner Knutzen reported that the committee held a lengthy discussion regarding misogyny and sexism how has impacted everyone in their respective active roles. Action items to be presented to the Commission at the next meeting will include a letter to MUNI. Commissioner Knutzen stated that she also received information regarding the letter to Supervisor Kauffman requesting that domestic partners be allowed to deliver voting ballots to their partners. Supervisor Kauffman had already intervened and requested that Assemblyman Kevin Shelley introduce the issue.

Youth and Ed

Commissioner Saliba-Malouf reported that the Committee heard a presentaiton regarding the Juvenile Justice System and Delancey Street programs. A former youth offender did a presentation outlining the unique program. The program includes an educational component, tutoring and enhancing their strengths.

***Moved (Dimapilis)\Seconded (Chong)\Unanimously in favor to go into executive session.

EXECUTIVE SESSION

PUBLIC EMPLOYEE PERFORMANCE VALUATION: Pursuant to the California Government Code Section 53957 the Commission will enter into a Closed Session to evaluate the performance of Marivic S. Bamba, Executive Director of the Human Rights Commission.

Discussion and vote pursuant to Brown Act Section 54957.1 and Sunshine Ordinance Section 67.14 on whether to disclose action taken or discussion held in closed session.

***Moved (Dimapilis)\Seconded (Salazar-Hobson)\Unanimously in favor NOT to disclose action taken or discussion held in closed session.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

Marivic Bamba
Executive Director
By: Maria Cordero
Executive Secretary

/mc

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

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REGULAR MEETING
THURSDAY, NOVEMBER 13, 1997

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4:30 P.M.
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ROSTER OF COMMISSIONERS

Martha L. Knutzen, Chair
Frank Chong, Vice Chair
Youn-Cha Shin Chey
Shirley Dimapilis
Agar Jaicks
Comer Marshall
Antonio Salazar-Hobson
Ghada Saliba-Malouf
Melecio Santos

EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
Maria L. Cordero
252-2517

DISABILITY ACCESS

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AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item.

ORDER OF BUSINESS

1. ROLL CALL

2. EXECUTIVE SESSION: Closed session held pursuant to Brown Act section 54956.9(a) and the Sunshine Ordinance section 67.11.

   Conference with Legal Counsel — Existing Litigation

   Coalition for Economic Equity vs. Wilson, No. C-96-4024 TEH

   Discussion and vote pursuant to Brown Act section 54957.1 and Sunshine Ordinance section 67.14 on whether to disclose action taken or discussions held in closed session.

3. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meeting of October 23, 1997.

4. PUBLIC COMMENT

5. GENERAL COMMUNICATIONS

6. REPORT OF THE CHAIR
   a. Individual Commissioners Report on their activities in the Community
      1) Motion to Support the "Resolution Urging Support of the Filipino Veterans Equity Bill."....Commissioner Shirley Dimapilis.
   b. Convening an Ad-Hoc Committee on Elections
   c. Report on the Meeting with Ms. Judith Winston, Executive Director, President's Initiative on Race.
   d. Approval of Resolution to Ms. Judith Winston, Executive Director, President's Initiative on Race.
   e. Approval of Goals and Objectives for the HRC Executive Director

7. REPORT OF THE DIRECTOR
   a. Report of Staff Meeting with Mayor Willie Brown
   b. HRC Program Unit Activities

8. COMMITTEE REPORTS

a) Employment Committee
Commissioner Youn-Cha Shin Chey, Chair
Frank Anderson, Committee Staff

1. Report on the Activities of the Committee

NOTE: *The next meeting of the Employment Committee will be held on Thursday, December 4, 1997, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.*

b) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

1. ACTION: Approval of Report on the Events of the Police Commission's meeting of March 19, 1997 with Findings and Recommendations.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

c) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

1. ACTION: Approval of Letter to MUNI regarding violence on MUNI against the Lesbian Gay Bisexual Transgender and other communities, with recommendations.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, November 18, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(e) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

1. Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, November 20 , 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

9. UNFINISHED BUSINESS
There are no items of unfinished business.

10. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

11. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated. The Commission will hold ONE meeting in December. Thursday, December 11, 1997. The regular meeting scheduled for November 27, 1997 and December 25, 1997 are hereby canceled.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, NOVEMBER 13, 1997

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Item 6(a)(1)

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National
Filipino American
EMPOWERMENT
CONFERENCE

RESOLUTION URGING SUPPORT OF THE FILIPINO VETERANS EQUITY BILL

WHEREAS, President Franklin D. Roosevelt drafted into military service on July 26, 1941, 140,000 Filipino soldiers, who were then U.S. nationals, to serve under the command of Gen. Douglas MacArthur, to defend the American flag;

WHEREAS, during the war, the Filipino soldiers fought bravely and with great sacrifice with their fellow American comrades in the battles for Bataan and Corregidor, in their guerrilla encounters and in the liberation campaign;

WHEREAS, on February 18, 1946, the U.S. Congress passed the "Rescission Act" which singled out and excluded Filipino WW II soldiers from full U.S. veterans benefits promised to them by President Harry Truman and Gen. MacArthur;

WHEREAS, in 1990 the U.S. Congress passed legislation that allowed Filipino WW II veterans who could prove their military service to become naturalized U.S. citizens;

WHEREAS, the majority of these 28,000 surviving Filipino veterans who are now U.S. citizens, live in poverty, receive minimum benefits (SSI and Medicaid) and live without honor as American veterans;

WHEREAS, currently the majority of these Filipino American veterans are being denied V.A. medical care, burial benefits and total disability pension by the U.S. Veterans Affairs Department that are now available to their American WW II comrades;

BE IT RESOLVED that the leadership of the National Filipino American Empowerment Conference sends copies of this resolution to President William J. Clinton, the Secretary of the Veterans Affairs Department, and to each of the 1000 U.S. Senators and 435 Representatives, to support the Filipino Veterans Equity Bill, S. 623/H.R. 836 providing for just and equal treatment of Filipino WW II veterans as U.S. veterans;

BE IT FURTHER RESOLVED that each delegate of the National Filipino American Empowerment Conference raise on a voluntary basis at least $5.00 (FIVE DOLLARS) from each member of their respective Filipino American organization to be spent on lobbying for the "Filipino Veterans' Equity" bill (or a realistic alternative), or to be contributed to the American Coalition for Filipino Veterans, Inc., an advocacy group based in Washington, D.C.

Submitted by: Eric Lachica, Executive Director, American Coalition for Filipino Veterans
Philippine American Heritage Federation (PAHF)
1440 N Street, NW, Suite A-1, Washington, D.C. 20005-2814

City and County of San Francisco

Willie Lewis Brown, Jr.
Mayor

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination

Marivic S. Bamba
Executive Director

November 13, 1997

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Emilio Cruz
Director of Public Transportation
949 Presidio Avenue, #215
San Francisco, CA 94115

Dear Mr. Cruz:

Thank you for sending your representative, Allan Siegel, to the Lesbian Gay Bisexual Transgender (LGBT) Advisory Committee of the San Francisco Human Rights Commission in August. The panel discussion was specifically organized by the Commission to address anti-LGBT violence in MUNI. Other invited speakers who spoke on the panel were Mr. Ray Antonio, President of the drivers union (Local 250-A) and Jennifer Rakowski from Community United Against Violence (CUAV). The issue of violence on MUNI — by or against anyone in our City — is of great importance to the Commission. As you know, all communities in the City are affected by hate violence. Helping the public to feel safe on MUNI is among the most important ways to improve the transit service. We do not see this as a question of MUNI and its patrons being on different sides. This problem hurts the agency, the drivers, and the riders alike, and all of us will benefit from its resolution.

The HRC is concemed at the apparent lack of sense of urgency in responding to the problem of hate violence on MUNI. Members of the LGBT community are particular targets of hate crimes on MUNI. We are concemed about Mr. Antonio's suggestion that, until more than one hundred additional operators are hired, there can be no training about rider diversity or about preventing hate violence. We are troubled at the suggestion that any of the topics we discussed at the August meeting could be construed as a major change of employee duties, requiring one year's advance notice.

We agreed during the August meeting to provide you with our written recommendations about improving services to the LGBT community. Among the recommendations from the LGBT Advisory Committee meeting are:

(1) Riders should be kept informed of the status and results of their hate crime grievances against drivers;
(2) Drivers and riders should have the security of knowing that silent alarms will alert police to the actual location of the vehicle, rather than leaving police guessing the location from unrealistic schedules. (We understand this will require advanced equipment. It will take time before it can be installed and operational.);
(3) Any MUNI community relations program should outreach to, and solicit input from, the LGBT community so its programs can respond to the actual concems and suggestions of community riders;
(4) MUNI should educate its riders about the grievance procedure to follow when filing a complaint;
(5) Information should be publicized on MUNI vehicles about preventing violence, providing recourse to people who experience hate violence, and waming of the consequences for perpetrators of hate crimes.

We encourage the agency and the union to work with CUAV, other anti-violence agencies, the Police Department, the HRC, and the public to address the problem of hate violence on MUNI.

The HRC offers its experience with community relations in the task of promptly addressing and

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eliminating hate crimes on MUNI. We look forward to being kept apprised of the schedule and progress of your training on diversity and violence.

Sincerely,

Martha Knutzen
Chair

cc: Mayor Willie L. Brown, Jr.
Dean Goodwin, Mayor's Liaison to the LGBT Community
Ray Antonio, President, Transport Workers Union of America AFL-C10 Local 250-A
Allan Siegel, MUNI Administration
Jennifer Rakowski, Community United Against Violence

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November 13, 1997

The Minutes of this meeting are missing.

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Marivic S. Bamba
Executive Director

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REGULAR MEETING
THURSDAY, DECEMBER 11, 1997

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Youn-Cha Shin Chey	Shirley Dimapilis
Agar Jaicks	Comer Marshall
Antonio Salazar-Hobson	Ghada Saliba-Malouf

Melecio Santos

EXECUTIVE DIRECTOR
Marivic S. Bamba

COMMISSION SECRETARY
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AGENDA

Items designated by "CC" shall automatically be approved, unless a request for removal for discussion or explanation is received from the audience, Commission or Commission staff.

Public testimony will be taken on each item.

ORDER OF BUSINESS

1. ROLL CALL

2. APPROVAL OF MINUTES
   (a) Approval of minutes of Commission Meeting of November 13, 1997.

3. PUBLIC COMMENT

4. GENERAL COMMUNICATIONS

5. REPORT OF THE CHAIR
   a. Individual Commissioners Report on their activities in the Community
      (1) Approval of Letter to the Honorable Orrin Hatch, Chairman, Senate Judiciary Committee regarding Mr. Bill Lann Lee...Commissioner Chong.
   b. Report from the Ad-Hoc Committee on Elections

6. REPORT OF THE DIRECTOR
   a. HRC Program Unit Activities

7. COMMITTEE REPORTS

a) Issues Committee
Commissioner Antonio Salazar-Hobson, Chair
Commissioner Agar Jaicks, Member
Don Hesse, Committee Staff

1. No report from the Committee.

NOTE: *Meetings of the Issues Committee are held at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

b) Lesbian Gay Bisexual Transgender Advisory Committee
Commissioner Martha Knutzen, Chair
Commissioner Agar Jaicks, Vice Chair
Larry Brinkin, Committee Staff

1. Report on the Activities from the Committee.
2. Approval of letter to the Health Service Systems Board expressing concern that exclusions of transexual treatments were maintain in City employee health plans, and again calling for the removal of such exclusions.
3. Approval of letter to the American Broadcasting Company (ABC) objecting to their use of a "Parental Advisory Warning" for the show "Ellen" due to its lesbian content.
4. Approval of letter to State Assembly Member Kevin Shelley recommending introduction of a bill to amend the California Elections Code to allow domestic partners to be considered family members for the purpose of delivering election ballots.

NOTE: *The next meeting of the Lesbian Gay Bisexual Transgender Advisory Committee will be held on Tuesday, January 20, 1997, 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.* ***The Committee will not meet in December.***

(c) Youth and Education Committee
Commissioner Ghada N. Saliba-Malouf, Chair
Commissioner Melecio Santos, Vice Chair
Commissioner Agar Jaicks, Member
Brian Cheu, Committee Staff

1. Report on the activities of the Committee

NOTE: *The next meeting of the Youth and Education Committee will be held on Thursday, December 18 , 1997, at 4:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102.*

(d) MBE/WBE/LBE Advisory Committee
Commissioner Comer Marshall, Chair
Commissioner Shirley Dimapilis, Vice Chair
Carmen Smith, Committee Staff

1. Report on the Activities of the Committee.

NOTE: *The next meeting of the MBE/WBE/LBE Advisory Commitee will be held on Wednesday, December 17, 1997 at 5:30 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA 94102*

(e) Employment Committee
Commissioner Youn-Cha Shin Chey, Chair
Frank Anderson, Committee Staff

1. Report on the Activities from the Committee
2. ACTION: Approval of the Task Force Report regarding Women Elevator Workers.

NOTE: *The next meeting of the Employment Committee will be held on Thursday, February 2, 1998, at 2:00 p.m. at the Human Rights Commission offices, 25 Van Ness Avenue, Eighth Floor Conference Room, San Francisco, CA. 94102.* ***The Committee is not meeting in January .***

9. UNFINISHED BUSINESS
There are no items of unfinished business.

10. NEW BUSINESS - REQUEST BY COMMISSIONERS TO CALENDAR FUTURE AGENDA ITEMS

11. CALENDAR OF UPCOMING EVENTS - INFORMATION ITEM ONLY

All meetings are held at: 25 Van Ness Avenue, Suite 800; San Francisco, CA 94102 unless otherwise stated.

The Commission will hold ONE meeting in December. Thursday, December 11, 1997. The regular meeting scheduled for December 25, 1997 is hereby canceled.

12. ADJOURNMENT

NEXT MEETING: THURSDAY, JANUARY 8, 1998

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HUMAN RIGHTS COMMISSION

December 11, 1997

The Minutes of this meeting are missing.

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